

Wellington Corporation Land Exchange Act 1900

Local Act 1900 No 12
Date of assent 20 October 1900

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An Act to enable the Mayor, Councillors, and Citizens of the City of Wellington to effect an Exchange of certain Lands with Levin and Company (Limited), and to make Provision for the Removal of certain Shelter-sheds.

Preamble

WHEREAS the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter in this Act called "the Corporation") are the owners in fee-simple of the land described in Schedule 1 hereto: And whereas Levin and Company (Limited), a joint-stock company incorporated under The Companies Act 1882, and the Acts amending the same (hereinafter in this Act called "the Company"), are the tenants of the Corporation of the same land upon the terms

of a deed of lease bearing date the thirty-first day of December, one thousand eight hundred and ninety-two, and made between the Corporation of the one part and the Bank of New Zealand Estates Company (Limited) of the other part: And whereas the Company are the owners in fee-simple in possession of the land described in Schedule 2 hereto: And whereas it is for the mutual advantage of the Corporation and the Company that the exchange authorised by this Act should be effected:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same as follows:—

1 Short Title

The Short Title of this Act is The Wellington Corporation Land Exchange Act 1900.

2 Corporation may convey to Levin and Company (Limited)

It shall be lawful for the Corporation to convey to the Company the fee-simple of the piece of land described in Schedule 1 hereto in exchange for the piece of land described in the Second Schedule hereto.

3 Levin and Company (Limited) may convey to the Corporation

The Company shall convey to the Corporation, in exchange for the land described in Schedule 1, the fee-simple of the land described in Schedule 2 hereto, to be held by the Corporation upon the like conditions and for the same purposes as those upon and for which the land described in Schedule 1 hereto was held by the Company immediately prior to the passing of this Act.

4 Corporation to lease lands conveyed to it upon the same terms as existing lease of lands conveyed to Levin and Company (Limited)

It shall be lawful for the Corporation forthwith to execute a deed of lease to the Company of the land described in Schedule

2 hereto, at the same rent, for the same term, and subject in all respects to the same provisions and conditions as are reserved, granted, and contained in the existing deed of lease of the lands described in Schedule 1 hereto, which said deed of lease bears date the thirty-first day of December, one thousand eight hundred and ninety-two, and is made between the Corporation of the one part and the Bank of New Zealand Estates Company (Limited) of the other part.

5 Special provisions to apply

With respect to the land which, in exercise of the powers in that behalf conferred by section three of The Wellington Corporation and Harbour Board Streets and Lands Act 1892, was granted by the Governor to the Corporation, the following provisions shall apply:—

- (1) It shall be lawful for the Corporation to convey the said land to Her Majesty, and, in consideration thereof, for the Colonial Treasurer to pay to the Corporation the sum of one thousand nine hundred and ninety-two dollars out of the Public Account without further appropriation than this Act; or, at the option of the Corporation, for Her Majesty to grant to the Corporation, by way of exchange, other Crown land to the value of one thousand nine hundred and ninety-two dollars.
- (2) If the Corporation does not convey the said land to Her Majesty as aforesaid within three months after the passing of this Act, then the Corporation shall within the said three months remove the central shelter-shed now existing on the said land, and shall not at any time erect any public convenience on the said land without the previous consent of the Governor in Council:
Provided that in no case shall shelter-sheds be deemed to be a public convenience within the meaning of this subsection:
- (3) Provided further that if the said central shelter-shed is duly removed as aforesaid, then the Colonial Treasurer shall pay to the Corporation the sum of nine hundred and ninety-six dollars out of the Public Account without further appropriation than this Act:

- (4) Provided further that the existing shelter-shed next the railway may remain erected and in use until the Corporation shall have provided other adequate shelter-shed accommodation.

The words "one thousand nine hundred and ninety-two dollars" and "nine hundred and ninety-six dollars" in subsection (1), were substituted, as from 10 July 1967, for the words "nine hundred and ninety-six pounds" and "four hundred and ninety-eight pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Schedule 1

ALL those pieces of land forming part of the lands particularly mentioned and described in Schedule 1 to The Wellington Reclaimed Land Act 1871, being the sections numbered respectively 146, 147, and 148 on the official map or plan of the said land, and being the land comprised in the deed of lease dated the 31st day of December, 1892, and made between the Corporation of the one part and the Bank of New Zealand Estates Company (Limited) of the other part.

Schedule 2

ALL that parcel of land bounded by a line commencing at the north-west corner of Section 4 of Block I on the plan of the Thorndon Reclamation, and proceeding thence in an easterly direction, on a bearing of $113^{\circ} 17'$, a distance of 101.25 links; thence in a southerly direction, on a bearing of $203^{\circ} 25' 40''$, a distance of 132.15 links; thence in a westerly direction, on a bearing of $293^{\circ} 29'$, a distance of 101.25 links; thence in a northerly direction, on a bearing of $23^{\circ} 25' 40''$, a distance of 131.81 links, to the point of commencement: the whole containing by admeasurement 21.4 perches, more or less, and being parts of Sections 3 and 4 of Block I on the plan of the Thorndon Reclamation.