

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
25th October, 1906.*

*Mr. Arnold.*

CITY OF DUNEDIN LANDS VESTING.

[LOCAL BILL.]

ANALYSIS.

Title.	
Preamble.	
1. Short Title.	5. Roads to be kept in repair.
2. Land vested in Corporation for recreation purposes.	6. Board may perform certain duties if Corporation fail to do so.
3. Land for cemetery.	7. Board may institute proceedings.
4. Lands not to be subject to certain Acts.	8. Issue of certificates of title. Schedules.

A BILL INTITULED

AN ACT to vest in the Corporation of the Mayor, Councillors, and Citizens of the City of Dunedin certain Parcels of Land in the Otago Peninsula District in Trust for Purposes of Public Recreation and for the Purposes of a Cemetery respectively. Title.

5 WHEREAS the lands described in the *First* and *Second* Schedules hereto are vested in "The Dunedin Ocean Beach Domain Board" (hereinafter called "the Board") by virtue of the provisions of "The Ocean Beach Public Domain Act, 1892": And whereas it is expedient to vest the lands described in the *First* and *Second* Schedules hereto in the Corporation of the Mayor, Councillors, and Citizens of the City of Dunedin (hereinafter called "the Corporation") for the purposes hereinafter expressed: And whereas the Board is willing that the said lands shall be vested in the Corporation for such purposes upon the terms hereinafter expressed: Preamble.

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

20 1. The Short Title of this Act is "The City of Dunedin Lands Vesting Act, 1906." Short Title.

2. (1.) The parcel of land described in the *First* Schedule hereto is hereby vested in the said Corporation, their successors and assigns (all hereinafter, unless repugnant to the context, included in the expression "the Corporation"), in trust for purposes of public recreation. Land vested in Corporation for recreation purposes.

25 (2.) The Corporation shall at all times hold the said land available for and permit the same to be used by the general public for the purposes of recreation.

30 (3.) The Corporation shall not exact any fee or make any other charge for the use of the said land or any part thereof as aforesaid.

(4.) The Corporation shall not lease or otherwise part with the exclusive possession of the said land or any part thereof.

Land for cemetery.

3. The parcel of land described in the *Second* Schedule hereto is hereby vested in the said Corporation, their successors and assigns, in trust for the purposes of a cemetery.

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Lands not to be subject to certain Acts.

4. The said lands described in the Schedules hereto shall not be subject to anything contained in "The Reserves Act, 1881," or "The Public Domains Act, 1881," or any amendment thereof respectively, and shall no longer be subject to the provisions of "The Ocean Beach Public Domain Act, 1892," "The Ocean Beach Public Domain Act 1892 Amendment Act, 1894," or "The Ocean Beach Public Domain Act 1892 Amendment Act, 1901," or any of them, or any amendment thereof.

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Roads to be kept in repair.

5. The Corporation shall at all times keep the respective roads on the boundaries of the said respective parcels of land for the whole length thereof in good repair, order, and condition, and so as to be fit for wheeled traffic of every description.

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Board may perform certain duties if Corporation fail to do so.

6. In case default shall be made by the Corporation in performing any of the obligations contained in the preceding section, it shall be lawful for the Board or its successors (but without prejudice to any other remedy in relation to such default) to perform the same, and the Corporation shall upon demand repay to the Board or its successors all moneys expended by it or them in or about performing such obligation, and such moneys may be recovered by the Board or its successors from the Corporation in any Court of competent jurisdiction.

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Board may institute proceedings.

7. The Board may in its own name institute proceedings for the purpose of securing the performance of the said obligations.

Issue of certificates of title.

8. The District Land Registrar of Otago shall, on the deposit with him of a copy of this Act, issue certificates of title to the Corporation for the said parcels of land subject to the aforesaid trusts.

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Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

ALL that parcel of land in the Otago Land District, containing by admeasurement 36 acres 2 roods 2 perches, more or less, being part of Section No. 28, Block VII, Otago Peninsula Survey District. Bounded towards the south and south-west by Lower Tomahawk Road, commencing at the south-west corner of the land described in the *Second* Schedule hereto bounded towards the south and south-west by Lower Tomahawk Road as following—by a line on a bearing of  $281^{\circ} 40\frac{1}{2}'$  for a distance of 1704 links to an angle, thence by a line on a bearing of  $292^{\circ} 7'$  for a distance of 196 links to an angle, thence by a line on a bearing of  $315^{\circ} 29'$  for a distance of 788 links to an angle, thence by a line on a bearing of  $306^{\circ} 28'$  for a distance of 787 links to an angle at the junction of Lower Tomahawk Road with Victoria Road; thence bounded towards the north by Victoria Road as following—by a line on a bearing of  $82^{\circ} 40'$  for a distance of 1111 links to an angle, thence by a line on a bearing of  $83^{\circ} 58'$  for a distance of 456 links to an angle, thence by a line on a bearing of  $65^{\circ} 5'$  for a distance of 445 links to an angle, thence by a line on a bearing of  $82^{\circ} 8'$  for a distance of 1086 links to the north-west corner of the land described in the *Second* Schedule; thence towards the east by the western boundary of said last-mentioned land on a bearing of  $180^{\circ}$  for a distance of 1976 links to the starting-point: be all the aforesaid bearings and linkages a little more or less.

## SECOND SCHEDULE.

ALL that parcel of land in the Otago Land District, containing by admeasurement 23 acres 2 roods 1 perch, more or less, being part of Section No. 28, Block VII, Otago Peninsula Survey District. Bounded towards the south and south-west by Lower Tomahawk Road, commencing at the south-west corner of Section No. 31, Block VII, Otago Peninsula Survey District, as following—by a line on a bearing of  $262^{\circ} 30'$  for a distance of 112 links to an angle, thence by a line on a bearing of  $276^{\circ} 30'$  for a distance of 657 links to an angle, thence by a line on a bearing of  $281^{\circ} 40\frac{1}{2}'$  for a distance of 467 links to a point on the northern boundary of the said Tomahawk Road; thence towards the west by a line leaving the Lower Tomahawk Road on a bearing of  $360^{\circ}$  for a distance of 1977 links to Victoria Road; thence along Victoria Road as following—by a line on a bearing of  $82^{\circ} 8'$  for a distance of 113 links to an angle, thence by a line on a bearing of  $104^{\circ} 8'$  for a distance of 260 links to the south-west boundary-line of original Section No. 8, Block III, Anderson's Bay Survey District; thence towards the north-east by the south-west boundary-line of said Section No. 8 on a bearing of  $130^{\circ} 8'$  for a distance of 431 links to an angle; thence towards the north-west by the south-east boundary-line of said Section No. 8 on a bearing of  $40^{\circ} 8'$  for a distance of 210 links to the aforesaid Victoria Road; thence along the Victoria Road as following—by a line on a bearing of  $104^{\circ} 8'$  for a distance of 224 links to an angle, thence by a line on a bearing of  $116^{\circ} 45'$  for a distance of 192 links to an angle at the north-west corner of Section No. 26, Block VII, Otago Peninsula Survey District; thence bounded towards the east by the western boundaries of said Sections Nos. 26 and 31, Block VII, Otago Peninsula Survey District, said boundaries of Sections Nos. 26 and 31 being one straight line on a bearing of  $180^{\circ}$  for a distance of 1825 links to the starting-point: be all the aforesaid bearings and linkages more or less.