

Hon. Mr. Cadman.

HAMILTON DOMAINS EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

Title.	3. Memorandum of lease to J. T. Horne validated.
1. Short Title.	Schedules.
2. Governor may demise and lease all or any portion of Domain lands.	

A BILL INTITULED

AN ACT to enable the Governor, at the request of the Mayor, Councillors, and Burgesses of the Borough of Hamilton (acting as a Domain Board), to grant Leases of Domain Lands within the said Borough, subject to certain Special Conditions.

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

1. The Short Title of this Act is “The Hamilton Domains Empowering Act, 1894.”

2. It shall be lawful for the Governor, in the name and on behalf of Her Majesty the Queen, and he is hereby authorised and empowered, to demise and lease all or any portion of the Domain lands within the Borough of Hamilton, as the said lands are described in the *First* Schedule hereto, upon the terms and subject, *inter alia*, to the special conditions set out in the *Second* Schedule hereto, and subject also to such rents or *and* conditions as are authorised by “The Public Domains Act, 1881.”

3. A certain memorandum of lease, dated the eighth day of July, one thousand eight hundred and ninety, executed by the Governor to one Jabez Thornton Horne, of Hamilton, containing, ~~inter alia, the terms and conditions mentioned in the Third Schedule hereto,~~ is hereby validated, and the same is hereby declared to be as binding in all respects as if such memorandum of lease had been executed after the passing of this Act.

SCHEDULES.

FIRST SCHEDULE.

ALL that parcel of land in the *Provincial Land* District of Auckland, in the Colony of New Zealand, containing by admeasurement 52 acres, more or less, situated in the Parish of Te Rapa, in the Hamilton Survey District, and being part of the land known as the Town Belt of Hamilton West. Bounded towards the north-west by Palmerston Street, 2730 links; towards the north-east by Anglesey Street, 1160 links, and towards the south-east by the Waikato River; towards the south by Allotment No. 24 of the Parish of Te Rapa, 2270 links; and towards the west by Ohaupo Road, 1127 links: be all the aforesaid linkages more or less.

All that parcel of land in the *Provincial Land* District of Auckland, in the Colony of New Zealand, containing by admeasurement 28 acres, more or less, situated in the Parish of Te Rapa, in the Hamilton Survey District, and being part of the land known as the Town Belt of Hamilton West. Bounded towards the north-east generally by Hill Street and Ohaupo Road, 4033 links; towards the south by Allotment No. 210 of the Parish of Te Rapa, 620 links; and towards the south-west and west by a road reserve, 5080 links: be all the aforesaid linkages more or less.

All that parcel of land in the *Provincial Land* District of Auckland, in the Colony of New Zealand, containing by admeasurement 35 acres, more or less, situated in the Parish of Te Rapa, in the Hamilton Survey District, and being part of the land known as the Town Belt of Hamilton West. Bounded towards the north-east and east by a street, Hill Street, and a road, 3395 links; towards the south by a road aforesaid, 1290 links; towards the west by Allotments Nos. 369 and 1 of the Parish of Te Rapa, 2290 links; and towards the north-east west by a reserve, 1180 links: be all the aforesaid linkages more or less.

All that parcel of land in the *Provincial Land* District of Auckland, in the Colony of New Zealand, containing by admeasurement 47 acres, more or less, situated in the Parish of Te Rapa, in the Hamilton Survey District, and being part of the land known as the Town Belt of Hamilton West. Bounded towards the north-east and east generally by a line, the western termination of Cook Street, Allotments Nos. 210, 214, 215, 216, 217, and 218, the western termination of Abbotsford Street, Allotments Nos. 219, 220, 221, 222, 223, and 224, by the western termination of Mill Street, Allotments Nos. 225, 226, and 228, all of the Town of Hamilton West, by Liverpool Street and a street, 5070 links; towards the south-east by Rostrevor Street, 1180 links; towards the south-west by Allotment No. 2 of the Parish of Te Rapa, 3720 links; and towards the west by a stream: be all the aforesaid linkages more or less.

All that parcel of land in the *Provincial Land* District of Auckland, in the Colony of New Zealand, containing by admeasurement 168 acres, more or less, situated in the Parish of Kirikiriroa, in the Hamilton Survey District, and being part of the land known as the Town Belt of Hamilton East. Bounded towards the north-west by Allotment No. 223A of the Parish of Kirikiriroa, 1000 links; towards the north-east by Allotment No. 223A aforesaid, the termination of a road 100 links wide, Allotments Nos. 224, 225, 229, 230, and 231, the crossing of a road of width aforesaid, and Allotment No. 251, all of the Parish of Kirikiriroa aforesaid, 12360 links; towards the south-east by Allotments Nos. 252 and 252A, also of the aforesaid parish, 6295 links; towards the south-west by the Waikato River; again towards the north-west by Allotment No. 414 of the Town of Hamilton East and by Sillery Street, 7110 links; and towards the south-west by the eastern termination of Sillery Street aforesaid, by Allotments Nos. 189, 188, 187, 186, 185, 184, the eastern termination of Brookfield Street, Allotments Nos. 183, 182, 181, 180, and 179, the eastern termination of Naylor Street, Allotments Nos. 178, 177, 176, and 173, the termination of a street, Allotments Nos. 161, 162, 163, and 164, the eastern termination of Wellington Street, Allotments Nos. 384, 383, 382, 381, and 380, the eastern termination of Cook Street, Allotments Nos. 395, 394, 393, 392, 391, and 390, all of the Town of Hamilton East aforesaid, the eastern termination of Clyde Street, and a line, 11360 links: be all the aforesaid linkages more or less.

All that parcel of land in the *Provincial Land* District of Auckland, containing by admeasurement 18 acres 2 roods 24 perches, more or less, being Sections Nos. 8, 9, and 10 of the Hamilton West Town Belt. Bounded towards the north-east by a road-line, the crossing of a road 100 links wide, and a road-line, 2542 links; towards the south-east by a railway reserve, 919 links; towards the south-west by a road-line, the crossing of a road 100 links wide, and a road-line, 2177 links; and towards the north-west by a road-line, 841 links: be all the aforesaid linkages more or less; save and excepting a road 100 links wide which intersects the area hereby described.

TOWN OF HAMILTON EAST.				A.	R.	P.
Sections Nos.	86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97	...	...	11	3	35
"	" 156, 157, 158 ...	...	...	4	0	15
"	" 159, 160, 161, 162, 163, 164	...	...	6	0	0
"	" 173, 174, 175, 176, 177, 178	...	...	6	2	36
"	" 180, 181, 182, 183, 405A	...	...	4	3	10
"	" 209, 210	...	...	2	0	0
"	" 214, 215	...	...	3	0	15
"	" 244, 245	...	...	2	0	0
"	" 247, 248, 249	...	...	3	0	0
"	" 281, 282	...	...	2	0	0
"	" 321, 322, 323, 324A, 325A, 326	...	...	5	1	0
"	" 331, 332, 333, 334, 337, 338, 339, 340	...	...	8	0	0
"	" 343, 344, 345, 346, 349, 350, 351, 352	...	...	8	0	0
"	" 355, 356, 357, 358, 359, 360, 361, 362, 362A, 363, 363A	...	...	8	2	30
"	" 365, 366, 367, 367A, 368, 368A	...	...	4	0	0
"	" 369, 370, 371, 372, 372A, 373, 373A	...	...	5	0	25
"	" 380, 381, 382	...	...	3	0	0
"	" 385, 386, 387, 388, 389	...	...	4	0	0

TOWN OF HAMILTON WEST.				A.	R.	P.
Sections Nos.	28...	...	...	1	1	36
"	" 129, 140, 142, 399A	...	...	4	3	25
"	" 146, 147, 149	...	...	2	2	27
"	" 170, 171, 201, 202, 203, 212, 409, 457, 458	...	...	29	2	28
"	" 194, 195	...	...	2	0	0
"	" 197, 198, 206, 207, 209	...	...	5	0	0
"	" 215, 216, 217, 218	...	...	4	0	0
"	" 225, 226, 227, 228	...	...	3	0	14
"	" 251, 454	...	...	3	3	9
"	" 320	...	...	1	0	0
"	" 324, 325	...	...	2	0	0
"	" 335, 337	...	...	1	3	0
"	" 350, 352	...	...	1	0	0
"	" 369, 376A	...	...	1	0	0
"	" 453A	...	...	4	2	31

SECOND SCHEDULE.

It is hereby declared and agreed by and between the said parties hereto that at the expiration of the said term the value of all buildings, forest, fruit and ornamental trees, fencing, and crops of every description, erected, planted, and being in and upon the said lands, shall be fixed and determined by an appraiser to be appointed by the said lessor, and the said lands shall be re-let by public auction for a further term not exceeding fourteen years upon such terms and conditions as the Governor shall approve and at an upset price to be fixed by the said lessor, and subject to the amount so fixed and determined; and such last-mentioned amount shall be paid over to the said lessee within seven days after receipt thereof by the said lessor: Provided that in the event of the said lands not being re-let at or above the upset price so fixed by the said lessor, then the said lessee shall fix the upset rent for the said lands, which shall not be less than the amount of the rent hereby reserved, and the said lands shall again be put up to auction for the like term of years, and upon the like conditions in all respects, as the said lands were previously offered under this condition at the upset rent so fixed by the said lessee, and subject to the amount so fixed and determined by the appraiser as aforesaid; and if no bid over the rent so fixed by the said lessee shall be received for the said lands, the said lessee shall either take the said lands at such upset rent, or forfeit all claim and right to the amount so fixed and determined as the value of such buildings, forest, fruit and ornamental trees, fencing, and crops.

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THIRD SCHEDULE.

It is hereby declared and agreed by and between the said parties hereto, that, at the expiration of the said term hereby created, the value of all buildings, forest, fruit, and ornamental trees, fencing, and crops of every description erected, planted, and being in and upon the said land, shall be fixed and determined by an appraiser to be appointed by the said lessor; and the said land shall be re-let by public auction, at an upset rent to be fixed by the said lessor, and subject to the amount so fixed and determined; and such amount shall be paid over to the said lessee within seven days after receipt thereof by the said lessor: Provided that in the event of the said land not being re-let at or above the upset rent so fixed by the said lessor, then the said lessee shall fix the upset rent for the said land, which shall not be less than the amount of the rent hereby reserved, and the said land shall be again put up to auction at the upset rent so fixed by the said lessee, and subject to the amount so fixed and determined by the appraiser as aforesaid; and if no bid over the rent so fixed by the said lessee shall be received for the said land, the said lessee shall either take the said land at such upset rent, or forfeit all claim and right to the amount so fixed and determined as the value of such buildings, forest, fruit and ornamental trees, fencing, and crops.

By Authority: SAMUEL COSTALL, Government Printer, Wellington.--1894.