

Mr. Okey.

NEW PLYMOUTH HUATOKI STREAM DIVERSION AND EXCHANGE.

[LOCAL BILL.]

ANALYSIS.

Title.	
Preamble.	
1. Short Title.	3. Corporation certificate to be expressed to be for purposes of public street.
2. Land transfer certificate to be issued to Corporation for lands in Second and Third Schedules, and to Collett and Company (Limited) for lands in First and Fourth Schedules.	4. Certificate to Collett and Company (Limited) to be in ordinary form, and rights of public to be extinguished.

A BILL INTITULED

AN ACT to enable the New Plymouth Borough Council to effect an Exchange of Lands. Title.

WHEREAS the whole of the lands described in the *First* Preamble.  
5 Schedule hereto is believed to be the property of the Mayor, Councillors, and Burgesses of the Borough of New Plymouth (hereinafter styled the Corporation), and the whole of the lands described in the *Second* Schedule hereto is believed to be vested in Collett and Company (Limited), a private company duly  
10 incorporated under the provisions of the Companies Act, 1908, in fee-simple : And whereas the Corporation are desirous of improving Carrington Road and Courtenay Street, and have agreed with Collett and Company (Limited), for an exchange of the lands described in the *First* Schedule for the lands described in the  
15 *Second* Schedule : And whereas the Huatoki Stream was diverted over five years ago by the predecessor in title of Collett and Company (Limited) with a view of ultimately effecting the said exchange by mutual conveyances, but such exchange was not pro-  
20 ceeded with owing to the parties being advised that the same could not safely be effected without the authority of an Act of Parliament : And whereas doubts have arisen as to the title of the parties to such portions of the land described in the *First*, *Second*, *Third*, and *Fourth* Schedules as originally formed part of the bed of the Huatoki Stream, and it is desirous to remove such doubts :

## 2 *New Plymouth Huatoki Stream Diversion and Exchange.*

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

Short Title.

1. This Act may be cited as the New Plymouth Huatoki Stream Diversion and Exchange Act, 1912. 5

Land transfer certificate to be issued to Corporation for lands in Second and Third Schedules, and to Collett and Company (Limited) for lands in First and Fourth Schedules.

2. Upon the joint request in writing under the seal of the Corporation and of Collett and Company (Limited), and upon payment of the sum of *one* pound each, the District Land Registrar of the District of Taranaki shall make and issue to the Corporation a certificate of title under the Land Transfer Act, 1908, for the lands described in the *Second* Schedule and also in the *Third* Schedule, and to Collett and Company (Limited) a similar certificate of title for the lands described in the *First* Schedule and also in the *Fourth* Schedule. 10

Corporation certificate to be expressed to be for purposes of public street.

3. The certificate of title to the Corporation so to be made and issued as provided in the *last preceding* section shall be expressed to be made to the Corporation as and for the purposes of a public street. 15

Certificate to Collett and Company (Limited) to be in ordinary form, and rights of public to be extinguished.

4. The certificate of title so to be made and issued to Collett and Company (Limited), as provided in section *two*, shall be in the ordinary form of a certificate of title as if the land the subject of same had never been or formed part of a public street or bed of a stream, the rights of the public (if any) therein being hereby absolutely extinguished. 20

Schedules.

### SCHEDULES.

#### FIRST SCHEDULE.

CORPORATION LAND TO BE VESTED IN COLLETT AND COMPANY (LIMITED).

ALL that piece of land in the Borough of New Plymouth, being part of the Carrington Road and part of the original bed of the Huatoki Stream, containing by admeasurement 4·4 perches, and being bounded as follows: Commencing from a point 22 links from the north-east corner of Section 941, thence bounded towards the north-east by part of Carrington Road and part of the original bed of the Huatoki Stream, 71·2 links and 29·1 links; thence towards the south by part of the original bed of the Huatoki Stream, 15·3 links and 61·6 links; thence towards the west by part of the original bed of the Huatoki Stream and by part of Section 941, 67 links, to the starting-point.

Also all that piece of land in the Borough of New Plymouth, being part of the Carrington Road and part of the original bed of the Huatoki Stream, containing by admeasurement 4·3 perches, and being bounded as follows: Commencing from a point the intersection of the centre of the bed of the Huatoki Stream with the north side of Vivian Street, thence bounded towards the west and north-west by part of the original bed of the Huatoki Stream, 44·6 links, 77 links, and 46·1 links; thence towards the east by part of the original bed of the Huatoki Stream and part of the Carrington Road, 44·9 links and 112·1 links; thence towards the south by Vivian Street, 31 links, to the starting-point.

#### SECOND SCHEDULE.

LAND BELONGING TO COLLETT AND COMPANY (LIMITED) TO BE VESTED IN THE CORPORATION.

ALL that piece of land in the Borough of New Plymouth, being part of Section 941, and containing by admeasurement 2·1 perches, and being bounded as follows: Commencing from a point the north-east corner of Section 941, thence bounded towards

the east by part of the Carrington Road, 22 links; thence towards the south by part of same Section 941, 122.5 links; thence towards the north by Courtenay Street, 120.5 links, to the starting-point.

Also all that piece of land in the Borough of New Plymouth, being part of the original bed of the Huatoki Stream and part of Section 723, containing by admeasurement 3.7 perches, and being bounded as follows: Commencing from a point the eastern corner of that piece of land described in the first part of the First Schedule hereof, thence bounded towards the north and east by part of the original bed of the Huatoki Stream, 30.6 links, 69.2 links, 56.7 links, and 50 links; thence towards the west and south-west by part of the original bed of the Huatoki Stream and part of Section 723, 50.5 links, 55.9 links, 51 links, and 32 links, to the starting-point.

#### THIRD SCHEDULE.

LAND (PART OF THE ORIGINAL BED OF THE HUATOKI STREAM) TO BE VESTED IN THE CORPORATION AS A STREET.

ALL that piece of land in the Borough of New Plymouth, being part of the original bed of the Huatoki Stream, containing by admeasurement 8 perches, and being bounded as follows: Commencing from a point the east corner of that piece of land described in the first part of the First Schedule hereof, thence bounded towards the south-west by part of this same piece of land; thence towards the north, east, and south-east by the Carrington Road; thence towards the west and south by part of that piece of land described in the last part of the First Schedule hereof and the piece of land described in the last part of the Second Schedule hereof, to the starting-point.

#### FOURTH SCHEDULE.

LAND (PART OF THE ORIGINAL BED OF THE HUATOKI STREAM) TO BE VESTED IN COLLETT AND COMPANY (LIMITED) ABSOLUTELY.

ALL that piece of land, being part of the original bed of the Huatoki Stream, containing by admeasurement 1.9 perches, and bounded as follows: Commencing from a point the south-west corner of that piece of land described in the first part of the First Schedule hereof, thence bounded towards the north by this same piece of land 61.6 links and 15.3 links; thence towards the north-east by part of that piece of land described in the last part of the Second Schedule hereof; thence towards the south by parts of Sections 723 and 722; thence towards the west by part of the bed of the Huatoki Stream, 14 links, to the starting-point.

Also all that piece of land, being part of the original bed of the Huatoki Stream, containing by admeasurement 5 perches, and being bounded as follows: Commencing from a point the intersection of the north side of Vivian Street with the west side of the Huatoki Stream, thence bounded towards the west by part of Section 723; thence towards the north-east and south-east by part of that piece of land described in the last part of the Second Schedule hereof and that piece of land described in the last part of the First Schedule hereof; thence towards the south by Vivian Street to the starting-point.