



SAWYER'S BAY LANDS LEASING ORDINANCE 1874.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIII. No. 438.

ANALYSIS.

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An Ordinance to empower the Superintendent of the Province of Otago to accept a Lease from the Trustees under "The Presbyterian Church of Otago Lands Act 1866" of section numbered sixteen on the map of the Sawyer's Bay District and to sub-let the said section. Title.

[15th June, 1874.]

WHEREAS the lands described in the first Schedule hereto are now vested in the Trustees under "The Presbyterian Church of Otago Lands Act 1866:" And whereas the said lands are required for public purposes and the said Trustees are willing to lease the same to the Superintendent for a term of twenty-one years to be computed from the first day of May one thousand eight hundred and seventy-four and it is expedient that the Superintendent should be empowered to accept a lease of the said lands: And whereas it is also expedient that the Superintendent should be empowered to demise and sub-let the said lands or any part thereof after the lease of the same to the Superintendent has been duly executed by the said Trustees: Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :—

Short Title.

1. This Ordinance may be cited and referred to as the “Sawyer’s Bay Lands Leasing Ordinance 1874.”

Superintendent empowered to Lease.

2. It shall be lawful for the Superintendent and he is hereby authorised and empowered to lease from the Trustees under “The Presbyterian Church of Otago Lands Act 1866” or whomsoever else it may concern to lease the same the parcel of land specified and described in the first Schedule hereto for any term not exceeding twenty-one years to be computed from the first day of May one thousand eight hundred and seventy-four at a clear yearly rental of forty pounds payable half-yearly and subject to such covenants provisions agreements and conditions as the Superintendent may think fit.

Superintendent may execute lease and a counterpart thereof.

3. It shall be lawful for the Superintendent to sign and execute a deed of lease of the said parcel of land and a counterpart thereof and to cause the public seal of the Province of Otago to be thereunto affixed.

Superintendent may sublet.

4. It shall be lawful for the Superintendent after a lease to him of the said parcel of land shall have been duly executed by the lessors to demise and lease the whole or any portion of the said parcel of land for the whole term for which the same shall be so demised to him wanting the last day of such term or for any less term and to such person or persons at such rent and subject to such terms and conditions as he may think fit and to execute any deed or deeds of lease thereof and to cause the Public Seal of the said Province to be thereunto affixed.

Superintendent may set apart a portion of the land as a school site.

5. It shall be lawful for the Superintendent to set apart that portion of the said parcel of land described in the second Schedule hereto as and for a site for a public school and to erect and build thereon a school-house schoolmaster’s residence and other necessary buildings.

Superintendent may lease other portion to Friendly Societies.

6. It shall be lawful for the Superintendent to demise and lease that portion of the said parcel of land described in the third Schedule hereto to any person or persons in trust as a recreation ground or garden for the use of the several Friendly Societies or bodies next hereinafter named (that is to say)—

The Manchester Unity Independent Order of Oddfellows
The Independent Order of Oddfellows
The Ancient Order of Foresters

the term of such lease to be any term not exceeding the term for which the said parcel of land shall be so granted to the Superintendent wanting the last day of such term at a yearly rent of one peppercorn if demanded and subject to such covenants conditions and agreements as to the Superintendent shall seem meet and in such lease it shall be lawful for the Superintendent to covenant with the lessee or lessees his or their executors administrators and assigns to pay to him or them at the expiration or other sooner determination of the said lease the then value of all substantial buildings of brick or stone or partly of both standing or being upon the said parcel of land or any part thereof such value in case of disputes to be determined by two arbitrators and their umpire pursuant to and so far as regards the mode and consequences of the reference and in all other respects to conform to the provisions in that behalf contained in the “Supreme Court Practice and Procedure Amendment Act 1866” or any then subsisting statutory modification thereof.

7. It shall be lawful for the Superintendent to sign and execute any such deed of lease as in the last preceding section mentioned or referred to and to cause the Public Seal of the Province to be thereunto affixed. Superintendent may execute lease.

THE FIRST SCHEDULE ABOVE REFERRED TO.

All that parcel of land in the Province of Otago containing by admeasurement nine (9) acres two (2) roods and twenty-three (23) poles more or less situate in the Sawyer's Bay District being section numbered sixteen (16) on the map of the said district; bounded towards the north-west by a road line five hundred and forty (540) links; towards the north-east by a road line one thousand six hundred and thirty (1630) links; towards the south-east by a road line six hundred (600) links; and towards the south-west by section numbered 17 one thousand nine hundred and fifty (1950) links.

THE SECOND SCHEDULE ABOVE REFERRED TO.

All that parcel of land in the Province of Otago aforesaid containing by admeasurement two (2) acres more or less situate in Sawyer's Bay District being part of section numbered sixteen on the map of the said district; bounded towards the north-west by a road line five hundred and forty (540) links; towards the north-east by a road line three hundred and seventy-one (371) links; towards the south-east by other part of the said section five hundred and forty (540) links; and towards the south-west by section numbered 17 three hundred and seventy-one (371) links.

THE THIRD SCHEDULE ABOVE REFERRED TO.

All that parcel of land in the Province of Otago aforesaid containing by admeasurement five (5) acres more or less situate in Sawyer's Bay District being part of section numbered sixteen on the map of the said district; bounded towards the north-west by the other part of said section sixteen described in the second Schedule to this Ordinance five hundred and forty (540) links; towards the north-east by a road line nine hundred and twenty-six (926) links; towards the south-east by other part of said section numbered sixteen five hundred and forty (540) links; and towards the south-west by section numbered 17 nine hundred and twenty-six (926) links.

DUNEDIN, NEW ZEALAND:

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