

# **Auckland City Endowments and Reserves Act 1875**

Public Act 1875 No 34  
Date of assent 12 October 1875

## **Contents**

	Page
Title	1
Preamble	1
1 Short Title	2
2 Land in Schedules vested in Corporation	2
3 Powers of Corporation in respect of lands in Schedule 1	2
4 Powers of Mayor, &c in respect of land described in Schedule 2	2
5 Nothing to affect prior lease, &c	3
<b>Schedule 1</b>	3
<b>Schedule 2</b>	5

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**An Act to vest in the Mayor, Councillors, and Citizens of the City of Auckland certain Endowments and Reserves in the said City.**

### **Preamble**

*[Repealed]*

The Preamble was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

**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 shall be The Auckland City Endowments and Reserves Act 1875.

**2 Land in Schedules vested in Corporation**

All the land described in Schedules 1 and 2 to this Act are hereby vested for an estate in fee simple in “The Mayor, Councillors, and Citizens of the City of Auckland, and their successors, as an endowment for the improvement and benefit of the said city”.

**3 Powers of Corporation in respect of lands in Schedule 1**

The Mayor, Councillors, and Citizens, in respect of the lands described in Schedule 1, and any other lands for the time being held by them under the provisions of this Act, may from time to time exercise all or any of the powers following—

- (1) May raise money by mortgage or debenture, without power of sale, and subject to and with such powers covenants and stipulations as they may think fit.
- (2) May demise or lease for any term not exceeding ninety-nine years, without fine or foregift, or let from year to year or otherwise, and with or without special conditions.
- (3) May lay out roads through the said lands.
- (4) May dedicate any part or parts of such lands for public or for recreation purposes.
- (5) Provided that no person shall be liable to see to the application of any money paid by him, or accountable for the mis-application or non-application thereof.

**4 Powers of Mayor, &c in respect of land described in Schedule 2**

The said Mayor, Councillors, and Citizens may from time to time, at their discretion, in respect of the land described in Schedule 2, exercise all or any of the powers following, but none other—

- (1) May enclose lay out and plant the same or any part thereof.
- (2) May erect any buildings for ornamental purposes, but not for making a profit therefrom.

**5 Nothing to affect prior lease, &c**

Nothing in this Act contained shall prejudicially affect any lease, mortgage, or other encumbrance heretofore made and now subsisting in respect of the said lands or any of them, nor shall impair or prejudicially affect the provisions of an Act of the Provincial Council of Auckland intituled The City of Auckland Loan Empowering Act 1874, whereby the said Corporation is authorized to borrow the sum of one hundred thousand dollars, nor any thing whatever done or authorized to be done under the said Act or under the powers thereby conferred.

The words "one hundred thousand dollars" were substituted, as from 10 July 1967, for the words "fifty thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

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**Schedule 1**

**1**

A portion of Allotment No 1 of Section No 3, containing by admeasurement one rood and twelve perches (more or less); being bounded on the North by Fore Street one hundred and sixty-eight links; on the East by other portions of said Allotment No 1, two hundred and eight links; on the South by Shortland Street, one hundred and forty-six links; and on the West by Queen Street, two hundred and four links.

**2**

Section No 31, containing by admeasurement six acres and ten perches (more or less); being bounded on the North by Wellesley Street, seven hundred and sixteen links; on the East by Queen Street, four hundred and seventy links; on the South-east by Grey Street, five hundred links; on the South by Cook Street, four hundred and ninety-five links; and on the West by Albert Street, nine hundred and twenty-five links.

**3**

Section No 35, containing by admeasurement one acre two roods and thirty-two perches (more or less); being bounded on the North-west and North by Mount Street, two hundred and seventy-two links and three hundred and eighty-four links; on the East and South-east by Symonds Street, nineteen links and six hundred and seventeen links; on the South by a line thirty links; and on the South-west by Wakefield Street, four hundred and seventy-one links.

**4**

Section No 50, containing by admeasurement seven acres and three roods (more or less); being bounded on the North-west by Picton Street, one thousand five hundred and eighty-eight links; on the East by Hepburn Street, one thousand three hundred and seventy-five links; on the South by Ponsonby Road, one thousand one hundred and sixty links.

**5**

A portion of Section No 51, containing by admeasurement thirteen acres two roods and twenty-five perches (more or less); being bounded on the North by Lot No 11, five hundred and four links; on the West by Lots Nos 10 and 11, three hundred links; again on the North by Smith-street, in a curve, and on the North-east by a street four hundred and ten links; on the East by a line one hundred and ninety-five links; on the South-east by Hopetoun Street, nine hundred and sixty-two links; on the South by Ponsonby Road, five hundred and ninety links; again on the West by Lots Nos 18 and 19, three hundred and thirty-one links; again on the South by Lot No 18 aforesaid, two hundred and fifty links; and again on the West by Hepburn Street, eight hundred and forty-one links.

**6**

Section No 52, containing by admeasurement fourteen acres and two roods (more or less); being bounded on the North by Beresford Street, one thousand four hundred and fifty links; on the North-east by Howe Street, six hundred and sixty-five links; on the South-east and South-west by Smith Street, in a curve; and on the West by Hepburn Street, seven hundred and thirty-three links.

7

Section No 53, containing by admeasurement eight acres (more or less); being bounded on the North-east by Howe Street, four hundred and thirty-three links; on the South-east by Karangahape Road, five hundred and thirty-three links and five hundred and fifty-six links; on the South by Ponsonby Road, eight hundred and thirty links, and on the North-west by Hopetoun Street, one thousand and seventy-eight links and five hundred and sixty links.

8

Lot No 23 of Section No 24, containing by admeasurement one rood and fourteen perches (more or less); being bounded on the North-west by Drake Street, three hundred and sixty links; on the North-east by Lot 22 of same section, one hundred and ninety-two links; and on the South-east by Wellesley Street, three hundred and sixty-four links.

Clause 8 was inserted, as from 1 October 2001, by section 5(b) Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2(L)).

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## **Schedule 2**

1

Clauses 1 and 2 were repealed, as from 28 October 1965, by section 19 Local Legislation Act 1965 (1965 No 122).

2

Clauses 1 and 2 were repealed, as from 28 October 1965, by section 19 Local Legislation Act 1965 (1965 No 122).

3

Clauses 3, 5, and 6 were repealed, as from 9 October 2001, by section 5(a) Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2(L)).

4

Clause 4 was repealed from Schedule 2 and inserted as clause 8 in Schedule 1, as from 1 October 2001, by section 5(b) Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2(L)).

5

Clauses 3, 5, and 6 were repealed, as from 9 October 2001, by section 5(a) Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2(L)).

**6**

Clauses 3, 5, and 6 were repealed, as from 9 October 2001, by section 5(a) Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2(L)).