

# Auckland City Endowments and Reserves Act 1875

Public Act 1875 No 34  
Date of assent 12 October 1875

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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*[Repealed]*

The Preamble was repealed, as from 19 November 1907, by section 2 of the Statutes Repeal Act 1907 (1907 No 40).

**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 Schedule 1 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”.

Section 2: amended, on 9 October 2001, pursuant to section 5(a) of the Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2 (L)).

**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 99 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**

*[Repealed]*

Section 4: repealed, on 9 October 2001, pursuant to section 5(a) of the Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2 (L)).

**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 \$100,000, 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) of the Decimal Currency Act 1964 (1964 No 27).

## Schedule 1

- 1 A portion of Allotment No 1 of Section No 3, containing by admeasurement 1 rood and 12 perches (more or less); being bounded on the North by Fore Street 168 links; on the East by other portions of said Allotment No 1, 208 links; on the South by Shortland Street, 146 links; and on the West by Queen Street, 204 links.
- 2 Section No 31, containing by admeasurement 6 acres and 10 perches (more or less); being bounded on the North by Wellesley Street, 716 links; on the East by Queen Street, 470 links; on the Southeast by Grey Street, 500 links; on the South by Cook Street, 495 links; and on the West by Albert Street, 925 links.
- 3 Section No 35, containing by admeasurement 1 acre 2 roods and 32 perches (more or less); being bounded on the North-west and North by Mount Street, 272 links and 384 links; on the East and South-east by Symonds Street, 19 links and 617 links; on the South by a line 30 links; and on the South-west by Wakefield Street, 471 links.
- 4 Section No 50, containing by admeasurement 7 acres and 3 roods (more or less); being bounded on the North-west by Picton Street, 1 588 links; on the East by Hepburn Street, 1 375 links; on the South by Ponsonby Road, 1 160 links.
- 5 A portion of Section No 51, containing by admeasurement 13 acres two roods and 25 perches (more or less); being bounded on the North by Lot No 11, 504 links; on the West by Lots Nos 10 and 11, 300 links; again on the North by Smith-street, in a curve, and on the North-east by a street 410 links; on the East by a line 195 links; on the South-east by Hopetoun Street, 962 links; on the South by Ponsonby Road, 590 links; again on the West by Lots Nos 18 and 19, 331 links; again on the South by Lot No 18 aforesaid, 250 links; and again on the West by Hepburn Street, 841 links.
- 6 Section No 52, containing by admeasurement 14 acres and 2 roods (more or less); being bounded on the North by Beresford Street, 1 450 links; on the North-east by Howe Street, 665 links; on the South-east and South-west by Smith Street, in a curve; and on the West by Hepburn Street, 733 links.
- 7 Section No 53, containing by admeasurement 8 acres (more or less); being bounded on the North-east by Howe Street, 433 links; on the South-east by Karangahape Road, 533 links and 556 links; on the South by Ponsonby Road, 830 links, and on the North-west by Hopetoun Street, 1 078 links and 560 links.
- 8 Lot No 23 of Section No 24, containing by admeasurement 1 rood and 14 perches (more or less); being bounded on the North-west by Drake Street, 360 links; on the North-east by Lot 22 of same section, 192 links; and on the South-east by Wellesley Street, 364 links.

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

## Schedule 2

### *[Repealed]*

Schedule 2: repealed, on 9 October 2001, pursuant to section 5(a) of the Auckland City Endowments and Reserves Amendment Act 2001 (2001 No 2 (L)).

1 *[Repealed]*

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

2 *[Repealed]*

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

3 *[Repealed]*

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

4 *[Repealed]*

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

5 *[Repealed]*

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

6 *[Repealed]*

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