

New Zealand.



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1887, No. 3.—*Private.*

AN ACT to extend the Powers of Leasing Reserve No. 8, in the City of Christchurch, vested in the Church Property Trustees of the Diocese of Christchurch by "The Church Property Trust Amendment Ordinance, Session XI., No. 6," of the late Superintendent and Provincial Council of Canterbury.

Title.

[9th December, 1887.]

WHEREAS by an Ordinance of the Superintendent and Provincial Council of the late Province of Canterbury, intituled "The Church Property Trust Ordinance, Session II., No. 3," it was enacted that certain persons therein respectively named, and all other persons as should be thereafter elected or appointed Trustees, and their successors, should be, and they were thereby constituted a body politic and corporate by the name of "The Church Property Trustees," and by that name they should have perpetual succession and a common seal, and be for ever capable at law to purchase, receive, possess, and enjoy to them and their successors any goods and chattels whatsoever and wheresoever, and any messuages, lands, tenements, and hereditaments in the then Province of Canterbury; and also to lease, let, sell, alienate, mortgage, or otherwise dispose of such property, as well real as personal, as they should think proper; and also to act in the concerns of the said body politic and corporate as effectually as any person or persons might or could do in his or their respective concerns, for the purpose and object of establishing and maintaining ecclesiastical and educational institutions within the then Province of Canterbury in connection with the Church in communion with the Church of England and Ireland as by law then established: And whereas by an Ordinance of the Superintendent and Provincial Council of the late Province of Canterbury, intituled "The Church Property Trust Amendment Ordinance, Session XI., No. 6," after reciting that the said Trustees were seized to them and

Preamble.

their successors of, amongst other hereditaments, all that parcel of land containing two roods fifteen perches or thereabouts, situate in and fronting upon Oxford Terrace West, Lichfield Street, and Durham Street, in the City of Christchurch, being reserve numbered eight on the map of the Chief Surveyor of the late Province of Canterbury setting out and describing the said City of Christchurch, being a special reserve vested in them for ecclesiastical and educational institutions within the then Province of Canterbury in connection with the said Church, it was enacted (*inter alia*) that the said Trustees might from time to time lease all or any portion of the said parcel of land to any person or persons for any term not exceeding twenty-one years in possession and not in reversion, at such rent and subject to such covenants and provisions as the said Trustees might deem reasonable, and should apply the rents of the premises so leased for the purpose and object of establishing and maintaining ecclesiastical institutions in connection with the said Church: And whereas by an Ordinance of the Superintendent and Provincial Council of the late Province of Canterbury, intituled "The Church Property Trust Amendment Ordinance, 1867," it was enacted that certain of the persons acting in the concerns of the said body politic and corporate should cease to be members thereof, and that certain other persons and their successors appointed in the manner therein prescribed should be members of the said body politic and corporate: And whereas, in order to enable the said Church Property Trustees to grant building leases of the said reserve numbered eight, it is desirable to extend the powers of leasing now vested in them:

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. The Short Title of this Act is "The Church Property Trust (Canterbury) Act, 1887."

Trustees empowered to lease for forty-two years land described in Schedule.

2. The said Trustees may from time to time lease all or any portion of the parcel of land specified in the Schedule to this Act to any person or persons, for any term not exceeding forty-two years, at such rent and subject to such covenants and provisions as the said Trustees may deem reasonable, and shall apply the rents of the lands so leased to the purposes to which the annual income or proceeds of the said lands shall for the time being be properly applicable.

Trustees may enter into agreement for re-leasing, &c.

3. It shall be lawful for the said Church Property Trustees, in granting leases of the said parcel of land or of any part or parts thereof, to enter into agreements with the lessee, his executors, administrators, or assigns, for re-leasing the same, and for payment by the incoming tenant of any such land to the outgoing tenant thereof, or the said Church Property Trustees on his behalf, of the value of the buildings or other improvements on the land demised, or for re-demising of such land to such lessee, his executors, administrators, or assigns of the demised premises; and in the event of no other person becoming entitled to a lease thereof, and for the purposes aforesaid, the said Church Property Trustees may make or enter into all incidental covenants or agreements which they may deem necessary or desirable; and the payment of the value of such buildings or other improvements

to the said Church Property Trustees shall not be deemed to be a fine or premium.

SCHEDULE.

Schedule.

ALL that parcel of land containing 2 roods 15 perches, or thereabouts, situate in and fronting upon Oxford Terrace West, Lichfield Street, and Durham Street, in the said City of Christchurch, being Reserve No. 8 on the aforesaid map of the Chief Surveyor.

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