

Kihikihi Cemetery Reserve Leasing Act 1890

Local Act 1890 No 7
Date of assent 1 September 1890

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An Act to authorise the Leasing of a certain Unused Portion of a Public Cemetery at Kihikihi.

Preamble

WHEREAS by notification of the sixteenth day of October, one thousand eight hundred and seventy-five, published in the *Gazette*, all that parcel of land described in the said notification, containing six acres and four perches, has been set apart and reserved as a public cemetery for the Town District of Kihikihi: And whereas the limits of the said cemetery are far larger than at present required for interments, and the portion of the said cemetery described in the Schedule to this Act, containing one acre and twenty-six perches, more or less, would suffice for the present for interments, and it would be advantageous if the Trustees of the said cemetery were authorised to lease for a term of years the larger portion of the cemetery in order to the raising a revenue therefrom to be applied to the improvement and ornamentation of the aforesaid portion thereof reserved for interments: And whereas the portion of the cemetery

desired to be leased has not at any time heretofore been used for interments:

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 is The Kihikihi Cemetery Reserve Leasing Act 1890

2 Trustees may let unused part of cemetery

Notwithstanding anything to the contrary contained in The Public Reserves Act 1881 or The Cemeteries Act 1882, the Trustees for the time being of the Kihikihi Public Cemetery, as the same is described in the recited notification in the *Gazette*, may from time to time lease all such portion of the said cemetery as is not comprised within the area described in the Schedule to this Act.

3 Terms and conditions of lease

Every such lease shall be for any term not exceeding fourteen years without covenant for renewal, shall be disposed of by public auction or by public tender, and shall be offered at such upset price, and on such other terms, as the aforesaid Trustees shall think fit:

Provided that no compensation for buildings or other improvements of any kind erected or made upon any part of the cemetery so leased shall be payable by the Trustees aforesaid to any lessee thereof or other person at the expiration of any lease granted under this Act.

4 Application of rents

All the rents, profits, and proceeds from time to time received by the Trustees aforesaid in respect of the portion of the cemetery authorised to be leased under this Act shall be applied by the said Trustees in and towards the improvement

and ornamentation of the other portion of the same cemetery under their control, and to no other purpose whatsoever.

Schedule

ALL that parcel of land in the Town of Kihikihi being Section No 256 and part of Section No 257, containing by admeasurement 1 acre and 26 perches, more or less. Bounded towards the north-east by Section No 255, 400 links; towards the south-east by Sections Nos 266 and 265, 291 links; towards the south-west by the other part of Section No 257, 400 links; and towards the north-west by Oliver Street, 291 links.