

**1. PROPOSED ROAD STOPPING:
DISPOSAL OF REDUNDANT ROAD WIDENING
PORTION OF KINSEY TERRACE**

RR 10923
Map Reference: M 21

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| Officer responsible City Streets Manager | Author Lester Reilly, Legal Surveyor Design Steve Cribb, Property Services Officer |
| Corporate Plan Output: Roading Land page 9.5.text.14 | |

The purpose of this report is to start the legal procedures necessary to stop an unformed portion of Kinsey Terrace.

The owners at No 44 Kinsey Terrace have approached the Council and asked if they can purchase the redundant road widening adjoining the frontage of their property. The proposed road stopping is not shown in the Notified City Plan. The disposal of the land was approved in principle by the Hagley-Ferrymead Community Board and the Council in September 1999, as the land is not required for road purposes.

Negotiations between Council officers and the adjoining land owners have been satisfactorily concluded subject to a successful road stopping procedure. The City Streets Unit agrees with this proposal. The land is not formed as road but occupied by the adjoining owners for a garage on piles and an entry pad. A 'Right of Way on foot only' easement is to be extended over part of the land to protect the rights of adjoining landowners who walk under the existing garage towards the formed part of Kinsey Terrace.

The plan is tabled.

Prior to sale the following resolution is necessary to initiate the stopping action:

RESOLUTION

Pursuant to the provisions of Sections 319 (h) and 342 of the Local Government Act 1974, the Christchurch City Council hereby resolves to stop that portion of road as shown on the plan and described in the Schedule hereto.

REASON FOR THE ROAD STOPPING

The Council has received a request from the adjoining owners for the purchase of the land which is no longer required by the Council for road purposes.

PURPOSE TO WHICH THE STOPPED ROAD WILL BE PUT

The portion of road when stopped, will be sold to the adjoining owners pursuant to Section 345 (1) (a) (i) of the Local Government Act 1974 and amalgamated with their certificate of title pursuant to Section 345 (2) of the Local Government Act 1974.

The land is situated alongside and occupied by No 44 Kinsey Terrace and is 6.56 m in width.

SCHEDULE

Portion of Kinsey Terrace being all that parcel of land situated in the City of Christchurch and shown as '*Road to be Stopped*' and described as follows:

| Plan | Shown | Adjoining | Title Reference | Area |
|-------------|--------------|------------------|------------------------|-------------------|
| SO 20163 | Section 1 | Lot 7 DP 5037 | CT 430/174 | 53 m ² |

- Recommendation:**
1. That the above resolution be adopted.
 2. That the stopped road be sold to the adjoining owners pursuant to Section 345 (1) (a) (i) of the Local Government Act 1974 and amalgamated with their certificate of title pursuant to Section 345 (2) of the Local Government Act 1974.