

9. STOPPING OF UNFORMED LEGAL ROAD ADJOINING 83 CLARENCE STREET

Officer responsible Facility Assets Manager	Author Tom Lennon, Property Consultant, DDI 941-8053
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PURPOSE OF REPORT

The purpose of this report is to seek a resolution of the Council to proceed by way of consent under the Public Works Act 1981 to stop portions of unformed road adjoining S.A. Jack Ltd's premises at 83 Clarence Street as depicted on the attached Survey Office Plan 338953.

SUMMARY

The Riccarton/Wigram Community Board has previously recommended that two parcels of unformed road in Clarence Street be disposed of.

The two parcels contain numerous underground utilities, which will be protected by way of easements over the entire parcels. It should be noted that public pedestrian access to the east of the parcels is retained.

The properties have been valued through an independent valuation process.

STAFF RECOMMENDATIONS

In order to give effect to the proposal it will be necessary for the Council to pass the following resolution.

"Pursuant to the provisions of Sections 116(1), 117(3)(b) and 120(3) of the Public Works Act 1981, the Christchurch City Council hereby resolves to stop those portions of road shown on SO338953 as described in the schedule below and amalgamate these portions with certificate of title CB 45C/924. The Christchurch City Council also certifies that it considers it equitable to vest the road described in the schedule below, when stopped in S. A. Jack Limited being the adjoining owner.

SCHEDULE

Being	Adjoining	Title Reference	Area
Section 1	Lot 1 DP 79580	45C/924	0.0288 ha
Section 2	Lot 1 DP 79580	45C/924	0.015 ha
	Lot 2 DP 75392		

BACKGROUND

The Council at its meeting on 27 May 2004 adopted a report from the Riccarton/Wigram Community Board recommending:

"The two parcels of road land Section 1 and Section 2 on Plan SM1283-05 be declared surplus to road requirements and Council commences road stopping procedures."

The Council was advised that the portions of unformed legal road were not required for the city roading network and as such could be stopped and sold to the adjoining owners. The stopped parcels will be amalgamated with the adjoining owners title CB45C/924.

The two parcels of unformed road contain numerous underground utilities, which will be protected by way of easements over the entire parcels. It should be noted that public pedestrian access to the east of the parcels is retained.