

**9. PROPOSED ROAD STOPPING:  
DISPOSAL OF REDUNDANT ROAD WIDENING  
ADJOINING 197 MONCKS SPUR ROAD**

RR 10704  
Map Reference: M19

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|--|---|
| <b>Officer responsible</b><br>City Streets Manager   | <b>Author</b><br>Lester Reilly, Legal Surveyor Design<br>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 a portion of legal road.

The owners at No 197 Moncks Spur Road 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.

Approval in principle was given by the Hagley/Ferrymead Community Board and confirmed by the Council at its June 1999 meeting for the disposal of the unformed portion of Moncks Spur Road 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.

City Streets agrees with this proposal.

The land is not formed as road but fenced and occupied by the adjoining owners.

The plan is attached.

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 Council for road purposes.

**Purpose to which the stopped road will be put**

The portions 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 the owner at No 197 Moncks Spur Road and is 1.50 metres in width.

## Schedule

Portions of Moncks Spur Road being all those parcels of land situated in the City of Christchurch and shown as "*Road to be Stopped*" and described as follows:

| <b>Plan</b> | <b>Shown</b> | <b>Adjoining</b>             | <b>Title Reference</b> | <b>Area</b>        |
|-------------|--------------|------------------------------|------------------------|--------------------|
| SO 20155    | Section 1    | Sec 17 Morten Settlement     | CT 4A/329              | 220 m <sup>2</sup> |
| SO 20155    | Section 2    | Pt Sec 16 Morten Settlement  | CT 682/46              | 10 m <sup>2</sup>  |
| SO 20155    | Section 3    | Lot 1 DP 17965               | CT 682/45              | 38 m <sup>2</sup>  |
| SO 20155    | Section 4    | Pt Sect 16 Morten Settlement | CT 682/46              | 36 m <sup>2</sup>  |

- 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.

**Chairman's**

**Recommendation:** That the officer's recommendations be adopted.