

## 11. ROAD STOPPING: UNFORMED LEGAL ROAD ADJOINING 19 ATHOL TERRACE

**Officer responsible**  
Facility Assets Manager

**Author**  
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### PURPOSE OF REPORT

1. 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 a portion of unformed road adjoining 19 Athol Terrace as depicted on the attached Survey Office Plan 329733, Lot DP 15391 and to authorise the sale of that stopped road.

### EXECUTIVE SUMMARY

2.
  - (a) The Riccarton/Wigram Community Board has previously recommended that the parcel of unformed road in Athol Terrace be disposed of.
  - (b) The parcel is not affected by any underground or overhead utilities.
  - (c) The property has been valued through an independent valuation process.

### FINANCIAL AND LEGAL CONSIDERATIONS

3. The property was valued by an independent valuer who valued the 39m<sup>2</sup> of road stopping in front of 19 Athol Terrace at \$5000 inclusive of GST. This sum has been paid to the Council.

### STAFF RECOMMENDATIONS

It is recommended that the Council give effect to the proposal by adopting the following resolution.

- (a) Pursuant to the provisions of Section 116 (1), 117 (3)(b) and 120(3) of the Public Works Act 1981 the Christchurch City Council hereby resolves to stop the portion of the road shown on SO 329733 as described in the Schedule below and amalgamate this portion with CB538/81. The Christchurch City Council also certifies that it considers it equitable to vest the schedule below, when stopped in Sheila and John Richard Lawrence Walker with consideration in the sum of \$5000 established by independent valuation.

### SCHEDULE

Being	Adjoining	Computer Register	Area
Section 1	Lot 1 DP 15391	CB 538/81	0.0039 ha

### BACKGROUND

4. The Council at its meeting on 27 November 2003 adopted a report from the Riccarton/Wigram Community Board recommending:

*"That the Council approve the commencement of the requisite road stopping procedure and to approve in principle the declaration of the affected parcels of land as being surplus to roading requirements."*