

UNIVERSITY AND COLLEGE LANDS (SAINT PAUL'S COLLEGE) ACT.

Act No. 7, 1966.

An Act to carry into effect an agreement between the University of Sydney and the trustees for Saint Paul's College for the exchange of certain lands; and for purposes connected therewith. [Assented to, 18th March, 1966.]

Elizabeth II,
No. 7, 1966

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "University and College Lands (Saint Paul's College) Act, 1966".

Short title.

2. This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Commence-
ment.

3. In this Act—

"Indenture of subgrant" means the indenture of subgrant dated the twenty-ninth day of October, one thousand nine hundred and twenty-four, and made between the University of Sydney of the first part The Honourable Sir William Portus Cullen, The Honourable Mr. Justice Philip Whistler Street, Alfrey Becher Stewart White, Esquire, Francis Alfred Allison Russell, Esquire, and the Reverend Arthur Henry Garnsey of the second part and The Warden and Fellows of Saint Paul's College of the third part.

Interpreta-
tion.

"Trustees

University and College Lands (Saint Paul's College) Act.

No. 7, 1966

"Trustees for Saint Paul's College" means the persons who, immediately before the commencement of this Act, were the trustees of the land described in Schedule Three to the University and College Lands (Saint Paul's College and Wesley College) Act, 1957.

Vesting of
certain
land in
trustees for
Saint Paul's
College.

4. The land described in Schedule One to this Act is hereby vested in the trustees for Saint Paul's College for an estate in fee simple freed and discharged from all trusts affecting the land immediately before the commencement of this Act.

Vesting of
certain
land in the
University
of Sydney.

5. The land described in Schedule Two to this Act is hereby vested in the University of Sydney for an estate in fee simple freed and discharged from all trusts affecting the land immediately before the commencement of this Act.

Modifica-
tion of
indenture
of subgrant
and declara-
tion of
trusts upon
which land
in modified
subgrant to
be held.

6. From and after the commencement of this Act—

- (a) the indenture of subgrant shall be read and construed as if the land subgranted by the indenture had been the land described in Schedule Three to this Act and as if the plan on the indenture had been omitted therefrom;
- (b) the trustees for Saint Paul's College shall, notwithstanding any occurrence or transaction before such commencement, hold the land described in Schedule Three to this Act upon the same trusts and subject to the same provisos and conditions as those upon and subject to which the land described in Schedule Three to the University and College Lands (Saint Paul's College and Wesley College) Act, 1957, was held immediately before such commencement;
- (c) subsection two of section three of the University and College Lands (Saint Paul's College and Wesley College) Act, 1957, shall be read and construed as if the land described in Schedule Three to that Act had been the land described in Schedule Three to this Act.

University and College Lands (Saint Paul's College) Act.

33

7. From and after the commencement of this Act, the University of Sydney shall, notwithstanding any occurrence or transaction before such commencement, hold the land described in Schedule Two to this Act upon the same trusts as those upon which the lands vested in the University of Sydney and its successors by section nine of the University and College Lands and Victoria Park Act, 1924-1937, were held immediately before the commencement of this Act.

No. 7, 1966

Declaration of trusts upon which University of Sydney shall hold certain land.

8. Except to the extent specified in paragraphs (a) and (b) of section six of this Act, nothing in this Act shall affect the provisions of section seven of the University and College Lands and Victoria Park Act, 1924-1937.

Saving.

SCHEDULE ONE.

Sec. 4.

Description of land (lots 3 and 4) to be vested in the trustees for Saint Paul's College.

ALL THAT piece or parcel of land at Sydney, in the City of Sydney, Parish of Petersham, County of Cumberland and State of New South Wales, being lot 4 shown on a plan of survey certified by Mr Surveyor W. L. Rein as having been completed on the 10th day of April, 1963, and being part of the land granted to the University of Sydney on the 18th day of January, 1855, COMMENCING at a point on the North-western side of City Road (formerly Newtown Road) bearing and distant 40 degrees 29 minutes 20 seconds for 430 feet 9 inches, 38 degrees 33 minutes 20 seconds for 59 feet 11½ inches and 37 degrees 27 minutes 40 seconds for 27 feet 6 inches from the intersection of the northern side of Carillon Avenue (formerly known as Saint Paul's Road) with the abovementioned North-western side of City Road and bounded thence on the South-west by a fenced line bearing 327 degrees 36 minutes for 55 feet 3½ inches; thence on the North-west by a fenced line bearing 36 degrees 52 minutes for 92 feet 11½ inches; thence on the North-east by a line passing partly along the North-eastern face of the base course of a stone lodge bearing 126 degrees 37 minutes 50 seconds for 52 feet 9¼ inches to the aforesaid North-western side of City Road and bounded thence on the South-east by the aforesaid North-western side of City Road being a line bearing 216 degrees 29 minutes for 5 feet 9 inches and being a line passing along the South-eastern face of a stone wall bearing 217 degrees 27 minutes 40 seconds for 109 feet 11½ inches to the point of commencement and containing by admeasurement 20½ perches together with all that piece or parcel of land at Sydney, in the City of Sydney, Parish of Petersham, County of

No. 7, 1966 of Cumberland and State of New South Wales, being lot 3 shown on a plan of survey certified by Mr Surveyor W. L. Rein as having been completed on the 10th day of April, 1963, and being part of the land granted to the University of Sydney on the 18th day of January, 1855, COMMENCING at a point 306 degrees 37 minutes 50 seconds and distant 25 feet from the northernmost corner of the abovementioned lot 4 and bounded thence on the South-west by a fenced line bearing 306 degrees 31 minutes for 133 feet 6 inches, by a fenced line being an arc, 79 feet 10½ inches in length, of circle of radius 100 feet, convex to the South-west, having a chord bearing 329 degrees 24 minutes for 77 feet 9½ inches and again by a fenced line bearing 352 degrees 17 minutes for 91 feet 6½ inches and bounded thence on the North-east by lines bearing and distant 111 degrees 19 minutes for 17 feet 11½ inches, 159 degrees 23 minutes 20 seconds for 59 feet 6 inches, 152 degrees 10 minutes 20 seconds for 63 feet, 146 degrees 57 minutes 40 seconds for 50 feet, 143 degrees 23 minutes for 50 feet, 136 degrees 23 minutes for 30 feet, 137 degrees 02 minutes 10 seconds for 21 feet 0½ inches to the point of commencement and containing by admeasurement 25 perches, be the said several dimensions all a little more or less.

Sec. 5.**SCHEDULE TWO.***Description of land (lots 1 and 2) to be vested in the University of Sydney.*

ALL THAT piece or parcel of land at Sydney, in the City of Sydney, Parish of Petersham, County of Cumberland and State of New South Wales, being lot 1 shown on a plan of survey certified by Mr Surveyor W. L. Rein as having been completed on the 10th day of April, 1963, and being part of the land comprised in Schedule Three to the University and College Lands (Saint Paul's College and Wesley College) Act, 1957, COMMENCING at a point being the northernmost corner of the land comprised in the aforesaid Schedule Three to the Act and bounded thence on the North-east by part of the North-eastern boundary of the land comprised in the abovementioned Schedule Three to the Act, being a line bearing 147 degrees 59 minutes 40 seconds for 84 feet 7 inches; thence on the South-east by a line bearing 262 degrees 24 minutes 40 seconds for 176 feet 4½ inches; thence on the South-west by a line bearing 352 degrees 24 minutes 40 seconds for 77 feet to the North-western boundary of the land described in the abovementioned Schedule Three to the Act, and bounded thence on the North-west by that North-western boundary of the land described in the abovementioned Schedule Three to the Act being a line passing partly along the South-eastern face of a brick wall and partly along a fence bearing 82 degrees 24 minutes 40 seconds for 141 feet 4½ inches to the point of commencement, and containing by admeasurement 1 rood 4½ perches together with ALL THAT piece or parcel of land at Sydney, in the City of Sydney, Parish of Petersham, County of Cumberland and State of New South Wales,

University and College Lands (Saint Paul's College) Act.

35

Wales, being lot 2 shown on a plan of survey certified by Mr Surveyor W. L. Rein as having been completed on the 10th day of April, 1963, and being part of the land comprised in Schedule Three to the University and College Lands (Saint Paul's College and Wesley College) Act, 1957, COMMENCING at a point on the North-western boundary of the abovementioned land in Schedule Three to the Act, bearing and distant 147 degrees 59 minutes 40 seconds for 95 feet 1 inch and 82 degrees 30 minutes 10 seconds for 153 feet 2½ inches from the easternmost corner of the abovementioned lot 1 and bounded thence on the North-west by part of the North-western boundary of land comprised in the abovementioned Schedule Three to the Act being a fenced line bearing 82 degrees 30 minutes 10 seconds for 8 feet 5½ inches; thence on the North-east by part of the North-eastern boundary of land comprised in the abovementioned Schedule Three to the Act, being a fenced line bearing 172 degrees 17 minutes for 78 feet 11 inches and bounded thence on the South-west by a line bearing 346 degrees 08 minutes 30 seconds for 79 feet 4½ inches to the point of commencement and containing by admeasurement One perch, be the said several dimensions all a little more or less.

No. 7, 1966

SCHEDULE THREE.

Sec. 6.

Description of land vested in the trustees for Saint Paul's College after the vesting of land (lots 1 and 2) in the University of Sydney and the vesting of other land (lots 3 and 4) in the trustees for Saint Paul's College.

ALL THAT piece or parcel of land at Sydney in the Parish of Petersham, County of Cumberland, and State of New South Wales being the whole of the land comprised in Crown Grant Registered Volume 1375 Folio 60 together with part of one hundred and twenty-six acres granted to the University of Sydney on the 18th day of January, 1855, COMMENCING at a point on the North-western alignment of City Road (formerly known as Newtown Road and also as King Street) bearing 40 degrees 29 minutes 20 seconds for 89 feet 2½ inches from the intersection of that North-western alignment of City Road with the North-western alignment of Carillon Avenue (formerly known as Bligh Street and also as Saint Paul's Road) and bounded thence on part of the South-west by a line bearing 357 degrees 41 minutes 40 seconds for 58 feet 0 inches; thence on part of the South-east by lines bearing and distant respectively 267 degrees 56 minutes 40 seconds for 254 feet 11½ inches, 267 degrees 43 minutes 40 seconds for 118 feet 4½ inches and 268 degrees 12 minutes 30 seconds for 46 feet 11 inches; thence on part of the North-east by a line bearing 169 degrees 07 minutes 50 seconds for 122 feet 1 inch to the North-western alignment of Carillon Avenue; thence again on part of the South-east by that alignment of Carillon Avenue bearing 268 degrees 23 minutes 40 seconds for 20 feet; thence again on part of the South-west by a line bearing 349 degrees

University and College Lands (Saint Paul's College) Act.

No. 7, 1966 degrees 30 minutes for 118 feet 10 inches; thence again on part of the South-east by a line bearing 261 degrees 12 minutes for 2 feet $4\frac{1}{2}$ inches; thence on the remainder of the South-west by a line bearing 349 degrees 04 minutes for 50 feet 0 inches, a line bearing 330 degrees 09 minutes 50 seconds for 124 feet $3\frac{1}{2}$ inches and a partly fenced line bearing 349 degrees 27 minutes 30 seconds for 461 feet $8\frac{1}{2}$ inches; thence on part of the North-west by a fenced line bearing 24 degrees 41 minutes for 102 feet $6\frac{1}{2}$ inches, and partly fenced line bearing 1 degree 41 minutes for 224 feet 8 inches to the South-eastern face of a brick wall and by a line passing in part along that South-eastern face of the brick wall along the line of the wall and along the South-eastern face of a brick wall bearing 82 degrees 24 minutes 40 seconds for 255 feet $8\frac{1}{2}$ inches; thence again on part of the North-east by a line bearing 172 degrees 24 minutes 40 seconds for 77 feet 0 inches; thence again on part of the North-west by a line bearing 82 degrees 24 minutes 40 seconds for 176 feet $4\frac{1}{2}$ inches; thence again on part of the North-east by a line bearing 147 degrees 59 minutes 40 seconds for 95 feet 1 inch; thence on the remainder of the North-west by a partly fenced line bearing 82 degrees 30 minutes 10 seconds for 153 feet $2\frac{1}{2}$ inches; thence on the remainder of the North-east by lines bearing and distant respectively 166 degrees 08 minutes 30 seconds for 79 feet $4\frac{1}{2}$ inches, 172 degrees 17 minutes for 107 feet $5\frac{1}{2}$ inches, 111 degrees 19 minutes for 17 feet $11\frac{1}{2}$ inches, 159 degrees 23 minutes 20 seconds for 59 feet 6 inches, 152 degrees 10 minutes 20 seconds for 63 feet 0 inches, 146 degrees 57 minutes 40 seconds for 50 feet 0 inches, 143 degrees 23 minutes for 50 feet 0 inches, 136 degrees 23 minutes for 30 feet 0 inches, 137 degrees 02 minutes 10 seconds for 21 feet $0\frac{1}{2}$ inches, 126 degrees 31 minutes for 25 feet 0 inches and by a line passing in part along the North-eastern face of the base course of a stone building bearing 126 degrees 37 minutes 50 seconds for 52 feet $9\frac{1}{2}$ inches to the aforesaid North-western alignment of City Road; and bounded thence on the remainder of the South-east by that North-western alignment of City Road being lines passing along the South-eastern face of stone foundations for a fence bearing 216 degrees 29 minutes for 5 feet 9 inches, 217 degrees 27 minutes 40 seconds for 109 feet $11\frac{1}{2}$ inches, 217 degrees 20 minutes 20 seconds for 27 feet 6 inches, 218 degrees 33 minutes 20 seconds for 59 feet $11\frac{1}{2}$ inches and 220 degrees 29 minutes 20 seconds for 341 feet $6\frac{1}{2}$ inches to the point of commencement and containing by admeasurement 14 acres 3 roods $20\frac{1}{2}$ perches, be the said several dimensions all a little more or less.

CLOSER