

No. XXI.

An Act to authorise the opening of certain new roads and streets adjoining the Bay Road Railway Station, within the Borough of North Sydney, rendered necessary by reason of the construction of the Milson's Point Railway Extension, in lieu of certain portions of other roads and streets rendered unnecessary thereby; and to permanently close such unnecessary portions and vest the sites thereof in the owners of the adjoining lands in full compensation for the lands taken for the new roads and streets. [5th June, 1893.]

WHEREAS in carrying out the construction of the authorised line of railway connecting the North Shore railway with the deep waters of Port Jackson at Milson's Point, under the Act fifty-four Victoria number twenty-one and the "Public Works Act of 1888," it has become necessary for the Constructing Authority to cross and cut through and otherwise to interfere with certain roads and streets adjoining the Bay Road Railway Station, in the borough of North Sydney, named in the First Schedule hereto, which cannot be restored compatibly with the formation and use of the authorised work; and it has accordingly become expedient for the Constructing Authority to acquire

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acquire certain lands as the sites of new roads and streets in lieu of and in substitution for those so interfered with, and permanently to close certain portions of the roads and streets rendered unnecessary by reason of the construction of the said line of railway, and to vest the sites thereof in the owners of the lands adjoining thereto in full and complete satisfaction of all claims to compensation in respect of the premises: Be it therefore 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:—

New roads, &c., in
Second Schedule
dedicated to public.

Portions of old
roads, &c., in Third
Schedule closed.

Sites of old roads
vested in adjoining
owners.

And claims for
compensation barred.

Short title.

1. On and after the passing of this Act the sites of the new roads and streets described in the Second Schedule hereto shall become and be vested in Her Majesty the Queen, and shall be opened and dedicated to the public use as roads and streets, and the care, maintenance, and management thereof shall be vested in the borough of North Sydney in lieu of and in substitution for the portions of the several old roads and streets more particularly described in the Third Schedule to this Act, and the said portions of the said several old roads and streets shall henceforth be and become permanently closed, and all public and private dedications of and rights of way and other easements over and upon such portions of the said old roads and streets shall absolutely cease and determine.

2. The property in the ground and soil of the portions of the several old roads and streets described in the said Third Schedule shall become vested absolutely in the owners of the adjoining lands, and shall be accepted by them in full and complete satisfaction and discharge of all claims for compensation or otherwise in respect of the lands taken as the sites for the several new roads and streets. No person shall have any claim for compensation or otherwise in respect either of the resumption under the said recited Act of the portions of the roads and streets named in the First Schedule for the purposes of the said railway, or of the interference with any of such roads by the said railway, or of the taking of the sites of the new roads and streets, or of the closing or interference with the old roads and streets as aforesaid, or of the failure to restore any of the said roads by the Constructing Authority.

3. This Act may be cited as the "Bay Road Railway Station Act, 1893."

SCHEDULES.

THE FIRST SCHEDULE.

List of Roads and Streets interfered with by the Milson's Point Railway Extension.

1. Clarke-street (aligned).
2. Crow's Nest Road (aligned).
3. Bay Road (aligned).
4. Carr-street (aligned).
5. John-street, connecting Carr-street with Crow's Nest Road (aligned).
6. Lavender Crescent (not aligned).

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THE SECOND SCHEDULE.

Sites of New Roads and Streets proposed to be opened.

1. Bay Road Deviation.

All that piece or parcel of land situated in the borough of North Sydney, in the parish of Willoughby, county of Cumberland, and Colony of New South Wales, within the following boundaries, containing two roods five perches, more or less: Commencing at the present intersection of the western building line of Carr-street with the south-eastern building line of Bay Road; and bounded thence towards the south by a line bearing south eighty-three degrees eighteen minutes west five hundred and twenty and a half links to a point on the eastern boundary of railway premises; thence towards the west by part of that eastern boundary bearing north thirty degrees thirty minutes west one hundred links to its northern extremity; thence towards the north by lines bearing successively north sixty degrees thirty-three minutes east twenty-two links, and north eighty-three degrees eighteen minutes east five hundred and twenty-five and three-quarter links; thence towards part of the east by a line bearing south twenty-five degrees forty minutes east one and a half link to the north-western building line of Bay Road; and thence towards the remainder of the east by a line dividing it from other part of Bay Road bearing south twenty-four degrees thirty-seven minutes east one hundred and three and three-quarter links, to the point of commencement.

Crow's Nest Road Deviation and John-street Deviation.

2. Also all that piece or parcel of land situated in the borough of North Sydney, in the parish, county, and colony aforesaid, within the following boundaries, containing two acres three roods fifteen perches, more or less: Commencing at a point on the northern boundary of the land herein firstly described distant north sixty degrees thirty-three minutes east twenty-two links from the northern extremity of an eastern boundary of land resumed for railway; and bounded thence towards the north-west by lines bearing successively north twenty-one degrees fifty-one minutes east six hundred and seventy-four and a quarter links, and north thirty-six degrees forty-four minutes east one thousand seven hundred and twenty-five and one-quarter links to the south-western boundary fence of the Crow's Nest House grounds; thence towards the north-east by that boundary fence bearing south twenty-two degrees fifty-three minutes east one-hundred and sixteen links; thence towards the south-east by a line bearing south thirty-six degrees forty-four minutes west one thousand six hundred and six and three-quarter links; thence again towards the north-east by a line bearing south twenty-five degrees forty minutes east five hundred and forty-one links to the north-western building line of Bay Road; thence again towards the south-east by part of that building line bearing south forty-nine degrees forty-seven minutes fifteen seconds west one hundred and three and one-quarter links to a point on the eastern boundary of the land herein firstly described; thence towards the south-west and south-east by lines bearing successively north twenty-five degrees forty minutes west four hundred and ninety-two links, and south twenty-one degrees fifty-one minutes west five hundred and twenty-eight and one-half links to the northern boundary of the aforesaid firstly described land; and thence towards the south by part of that northern boundary bearing south eighty-three degrees eighteen minutes west one hundred and thirteen and three quarter links, to the point of commencement.

Lavender Crescent Deviation.

3. All that piece or parcel of land situated in the borough of North Sydney, in the parish, county, and Colony aforesaid, within the following boundaries, containing one acre two roods thirty perches, more or less: Commencing at the intersection of the eastern building line of Crow's Nest Road with the present south-eastern building line of Bay Road; and bounded thence towards the south by a line bearing south eighty-one degrees thirty-three minutes thirty seconds east one thousand six hundred and seventy-six and one-half links to the western building line of Carr-street; thence towards the east by part of that western building line bearing north four degrees eleven minutes thirty seconds east one hundred and one-quarter links; thence towards the north by a line bearing north eighty-one degrees thirty-three minutes thirty seconds west one thousand seven hundred and five and one-quarter links to the eastern building line of Crow's Nest Road aforesaid; and thence towards the west by part of that eastern building line bearing south thirteen degrees fifty-three minutes forty-five seconds east one hundred and eight links, to the point of commencement.

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THE THIRD SCHEDULE.

Descriptions of Old Roads and Streets permanently closed and revested in Owners of adjoining soil.

Parts of Bay Road to be closed.

1. All that piece or parcel of land situated in the borough of North Sydney, in the parish of Willoughby, county of Cumberland, and Colony of New South Wales, comprising parts of Bay Road as aligned by *Government Gazette* notice of sixth February, one thousand eight hundred and ninety-one, within the following boundaries, but exclusively of part resumed for railway purposes and of parts opened and dedicated as roads or streets under the Second Schedule, and containing one acre thirty-two perches, more or less: Commencing at the present intersection of the western building line of Carr-street with the south-eastern building line of Bay Road; and bounded thence towards the south-east by part of the south-eastern building line of Bay Road bearing south forty-nine degrees forty-seven minutes fifteen seconds west one thousand seven hundred and twenty-eight and a half links to its intersection with an eastern building line of Crows Nest Road; thence towards the west by part of that eastern building line bearing north thirteen degrees fifty-three minutes forty-five seconds west one hundred and eleven and a half links; thence towards the north-west by part of the north-western building line of Bay Road bearing north forty-nine degrees forty-seven minutes fifteen seconds east one thousand six hundred and ninety-nine and a quarter links; and thence towards the east by a line dividing it from other part of Bay Road bearing south twenty-four degrees thirty-seven minutes east one hundred and three and three quarter links, to the point of commencement.

Part of Crow's Nest Road and John-street to be closed.

2. Also all that piece or parcel of land situated in the borough of North Sydney, in the parish, county, and colony aforesaid, comprising John-street and parts of Crow's Nest Road and Clarke-street, as aligned by *Government Gazette* notice of sixth February, one thousand eight hundred and ninety-one, within the following boundaries, but exclusively of parts of John-street opened and dedicated as a road or street under the Second Schedule, and containing three roods thirty-four perches, more or less: Commencing at the present intersection of the north-western building line of Bay Road with the north-eastern building line of John-street; and bounded thence towards part of the north-east by the north-eastern building line of John-street bearing north thirty-eight degrees twelve minutes forty-five seconds west six hundred and forty-five and six-tenth links; thence towards the north-west by north-western building lines of Crow's Nest Road bearing successively south forty-eight degrees sixteen minutes fifteen seconds west three hundred and thirty links, and south thirty-two degrees thirty-six minutes fifteen seconds west two hundred and sixty-three links; thence again towards the north-east by part of the north-eastern building line of Clarke street bearing north fifty-eight degrees forty-three minutes forty-five seconds west thirty-five and a half links to the eastern boundary of land resumed for railway; thence towards the west by part of the eastern boundary of that land, being a curved fenced line bearing southerly one hundred and sixty-seven and three quarter links to its intersection with the south-eastern building line of Crow's Nest Road aforesaid; thence towards part of the south-east by south-eastern building lines of that road bearing successively north thirty-two degrees thirty-six minutes fifteen seconds east three hundred and fifty-one and three-quarter links, and north forty-eight degrees sixteen minutes fifteen seconds east two hundred and nine and nine-tenth links to its intersection with the south-western building line of John-street; thence towards the south-west by that south-western building line bearing south thirty-eight degrees twelve minutes forty-five seconds east five hundred and forty-two and eight-tenth links to the north-western building line of Bay Road aforesaid; and thence towards the south-east by that north-western building line bearing north forty-nine degrees forty-seven minutes fifteen seconds east one hundred links, to the point of commencement.

Lavender Crescent to be closed.

3. Also all that piece or parcel of land situated in the borough of North Sydney, in the parish, county, and colony aforesaid, comprising Lavender Crescent one chain wide, between Bay Road and Carr-street, as delineated on application plan number forty-nine in the Lands Titles Office, Sydney (but exclusively of part thereof resumed for railway purposes), and containing by admeasurement one acre and ten perches, more or less.