

VAUCLUSE ROMAN CATHOLIC CHURCH LANDS LEASING ACT.

An Act to authorise the Trustees of certain lands at Vaucluse granted by the Crown for religious and educational purposes to lease and otherwise deal with part of such lands and to provide for the application of the rent and profits of the land so leased and to declare the trusts upon which a portion of the said lands is held; and for purposes consequent thereon or incidental thereto. [Assented to, 9th November, 1926.] George V.

WHEREAS by Crown grant, dated the eleventh day of August, one thousand nine hundred and fourteen, registered volume two thousand five hundred and one, folio one hundred and seventy-four, certain land at Vaucluse, described in the First Schedule to this Act, and having an area of three roods thirty-three perches or thereabouts, was granted to the Most Reverend Michael Kelly, Doctor of Divinity, Archbishop of Sydney; the Right Reverend Monsignor Patrick Lewis Coonan, Vicar-General of Forest Lodge; the Reverend Michael Fitzpatrick, of Rose Bay; Frederick Dunne, a caretaker, and George Avelor, a signalman, both of Watson's Bay, which persons are hereinafter in this Act referred to as trustees, upon trust for the erection thereon of a Roman Catholic church and for no other purpose whatsoever: And whereas by Crown grant, dated the eleventh day of August, one thousand nine hundred and fourteen, registered volume two thousand five hundred and one, folio one hundred Preamble.

George V. hundred and seventy-five, certain land at Vaucluse, described in the Second Schedule to this Act, and having an area of two roods nineteen perches, was granted to the said Most Reverend Michael Kelly, the said Right Reverend Monsignor Patrick Lewis Coonan, the said Reverend Michael Fitzpatrick, the said Frederick Dunne, and the said George Avelor, upon trust for the appropriation thereof as the site of a dwelling-house, garden, and other appurtenances, for the clergymen duly appointed to officiate in the Roman Catholic church erected at Watson's Bay, and for no other purpose whatsoever: And whereas by Crown grant, dated the eleventh day of August, one thousand nine hundred and fourteen, registered volume two thousand five hundred and one, folio one hundred and seventy-six, certain land at Vaucluse, described in the Third Schedule to this Act, and having an area of two roods, was granted to the said Most Reverend Michael Kelly, the said Right Reverend Monsignor Patrick Lewis Coonan, the said Reverend Michael Fitzpatrick, the said Frederick Dunne, and the said George Avelor, upon trust for a school in connection with the Roman Catholic Church, Watson's Bay, and for no other purpose whatsoever: And whereas there has been erected upon part of the land described in the said First Schedule a Roman Catholic church and convent, and there have been erected upon part of the land described in the said Second Schedule certain buildings for educational purposes: And whereas the land described in the Third Schedule is vacant land: And whereas it is expedient that authority be given to lease all or any portion of the lands described in the Fourth Schedule, such lands comprising part of the lands in the said First and Second Schedules, and all the said land in the said Third Schedule, and that provisions be made for the application of the rentals received from such leasing: Be it therefore enacted by the King'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:—

Short title.

1. This Act may be cited as the "Vaucluse Roman Catholic Church Lands Leasing Act."

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2. The said trustees or the trustee or trustees for the time being of the said lands described in the Fourth Schedule to this Act may :—

- (a) Lease all or any part of the said land for such term at such rent and for such purposes and subject to such conditions and other payments in addition to rent as the said trustee or trustees may think fit, and apply any rent or other payments so received to the payment of rates, taxes, and other outgoings in relation to the land described in the First, Second, Third, and Fourth Schedules hereto, or to the upkeep, maintenance, enlargement, or extension of any buildings erected or hereinafter erected on the said lands described in the said First and Second Schedules respectively, or to any one or more of the purposes hereinbefore mentioned or declared in the Crown grants mentioned in the preamble hereto ;
- (b) accept surrenders of leases granted under this Act upon such terms and subject to such conditions as the said trustees or trustee may think fit ;
- (c) subdivide the said land described in the said Fourth Schedule, form and dedicate streets and public places thereon, and otherwise comply with any requirements made by or under the Local Government Act, 1919, or any Act amending the same ;
- (d) grant easements and rights-of-way over and in connection with the said land described in the said Third Schedule.

3. (a) It is hereby declared that the trustee or trustees for the time being of the land described in the said First Schedule do hold and have held the same upon trust for the erection thereon of a Roman Catholic convent as well as for the erection of a Roman Catholic church.

(b) It is hereby further declared that the trustee or trustees for the time being of the land described in the

George V.
Trustees or trustee may lease all or any part of land described in Fourth Schedule, accept surrenders of leases, subdivide, grant easements and rights of way.

Erection of Roman Catholic convent and Roman Catholic church.

George V. the said Second Schedule do hold and have held the same upon trust for the erection thereon of a Roman Catholic school as well as for the erection of a Roman Catholic clergymen's dwelling-house.

SCHEDULES.

THE FIRST SCHEDULE.

ALL that piece or parcel of land in our said State containing by admeasurement 3 roods 33 perches, be the same more or less, situated in the county of Cumberland, parish of Alexandria, at Vaucluse, portion 578: Commencing on the north-eastern building line of South Head road at the southern corner of portion 576 of 2 roods 19 perches appropriated for a site for a Roman Catholic Presbytery, and bounded thence on the south-west by that building line bearing south 37 degrees 44 minutes east 3 chains $18\frac{7}{10}$ links to a lane $30\frac{3}{10}$ links wide; on the south-east and east by that lane dividing it from 1 acre 2 roods 13 perches appropriated for a site for a public school bearing north 50 degrees 11 minutes east 3 chains 6 links, and thence north 5 degrees 37 minutes east 1 chain $36\frac{3}{10}$ links, on the north by the southern boundary of portion 577 of 2 roods appropriated for a site for a Roman Catholic school bearing north 81 degrees 44 minutes west 2 chains 45 links, and on the north-west by the south eastern boundary of portion 576 aforesaid bearing south 60 degrees 16 minutes west 2 chains $31\frac{1}{2}$ links to the point of commencement.

THE SECOND SCHEDULE.

All that piece or parcel of land in our said State containing by admeasurement 2 roods 19 perches, be the same more or less, situated in the county of Cumberland and parish of Alexandria, at Vaucluse, portion 576: Commencing at a point where the south-eastern building line of Gap-street meets the north-eastern line of South Head road, and bounded thence on the north-west and north by that building line of that street bearing north 71 degrees 33 minutes east 2 chains $23\frac{1}{2}$ links, and thence north 83 degrees 34 minutes east 1 chain $1\frac{1}{2}$ links, on the north-east by the south-western boundary of portion 577 of 2 roods appropriated for a site for a Roman Catholic school bearing south 15 degrees 29 minutes east 1 chain 82 links, on the south-east by the north-western boundary of portion 578 of 3 roods 33 perches appropriated for a site for a Roman Catholic Church bearing south 60 degrees 16 minutes west 2 chains $31\frac{1}{2}$ links to the north-eastern building line of South Head road aforesaid, and on the south-west by that building line of that road bearing north 37 degrees 44 minutes west 2 chains $62\frac{9}{10}$ links to the point of commencement.

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THE THIRD SCHEDULE.

All that piece or parcel of land in our said State containing by George V. admeasurement 2 roods, be the same more or less, situated in the county of Cumberland and parish of Alexandria, at Vaocluse, portion 577: Commencing on the southern building line of Gap-street at the north-eastern corner of portion 576 of 2 roods 19 perches appropriated for a site for a Roman Catholic Presbytery, and bounded thence on the north by that building line bearing 83 degrees 34 minutes east $53\frac{1}{10}$ links, and thence by a line bearing south 81 degrees 44 minutes east 2 chains $58\frac{7}{10}$ links to a corner of portion 96 of 2 roods 6 perches, which corner is situated on the southern boundary of portion 95 of 1 acre 33 perches, on the east by a western boundary of portion 96 forming the western side of a formed road, and thence by the western side of a lane $30\frac{3}{10}$ links wide, dividing it from 1 acre 2 roods 13 perches appropriated for a site for a public school, in all bearing 5 degrees 37 minutes west 1 chain $80\frac{1}{5}$ links, on the south by the northern boundary of portion 578 of 3 roods 33 perches appropriated for a site for a Roman Catholic church bearing north 81 degrees 44 minutes west 2 chains 45 links, and on the south west by the north-eastern boundary of portion 576 aforesaid, bearing north 50 degrees 29 minutes west 1 chain 82 links to the point of commencement.

THE FOURTH SCHEDULE.

All that piece or parcel of land situated at Watson's Bay, Municipality of Vaocluse, and being portion 577, and part of portions 576 and 578, parish of Alexandria, county of Cumberland, and containing by admeasurement 3 roods $4\frac{1}{4}$ perches: Commencing on the southern building line of Gap street (now Robertson-place) at a point bearing 71 degrees 33 minutes and distant 223.8 links from the intersection of the aforesaid building line with the north-eastern building line of South Head road, and bounded on the north by the aforesaid southern building line of Gap street and by the southern side of a formed roadway (known as Dunbar-street) bearing 83 degrees 34 minutes 15.4.7 links and 98 degrees 16 minutes 259.2 links respectively; thence on the east by the western side of aforesaid formed roadway bearing 185 degrees 37 minutes 194.6 links; thence on the south by a line bearing 269 degrees 6 minutes 298.5 links; thence on the south-west by a line bearing 337 degrees 237.1 links to the point of commencement, be the said dimensions a little more or less.