

## **LISMORE CITY COUNCIL (NIELSON PARK EXCHANGE) ACT.**

An Act to vest certain land freed and discharged from all trusts affecting the same in the Council of the City of Lismore; to empower the said Council to exchange the said land; to amend the Local Government Act, 1919; and for purposes connected therewith.  
[Assented to, 12th May, 1948.]

WHEREAS by Deed of Conveyance dated the second day of May One thousand nine hundred and thirty nine registered No. 263 book 1845 and Memorandum of Transfer dated the twenty eighth day of June One thousand nine hundred and thirty nine registered No. C.787213 the lands described in the First Schedule hereto were by way of gift conveyed and transferred by one HARRY CHARLES NIELSON of Lismore Music Store Proprietor to the Council of the Municipality (now City) of Lismore in fee simple to the intent that the same should be used by the said Council as a Public Garden and Recreation Space AND WHEREAS it is not practicable to utilise the said lands as a Public Garden and Recreation Space AND WHEREAS the said HARRY CHARLES NIELSON has offered to exchange for the said lands described in the First Schedule the lands described in the Second Schedule hereto to the intent that the same should be used by the said Council as a Public Garden and Recreation Space and the said The Council of the City of Lismore is desirous of accepting such offer AND WHEREAS it is expedient to vest the lands described in the First Schedule hereto in the said Council freed and discharged from all trusts affecting the same AND WHEREAS it is expedient to empower the said Council to convey and transfer the said lands described in the First Schedule hereto to the said HARRY CHARLES NIELSON freed and discharged from all

trusts

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trusts affecting the same in exchange for the lands comprised in the Second Schedule hereto. 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 "Lismore City Council (Nielson Park Exchange) Act, 1948."

**Vesting.**

**2.** The land described in the First Schedule hereto is hereby vested in the Council of the City of Lismore for an estate in fee simple freed and discharged from all trusts estates or interests affecting the same.

**Removal of trusts, etc., from Register.**

**3.** The Registrar General shall, upon the application of The Council of the City of Lismore, and upon payment of the fees prescribed, remove and withdraw from Certificate of Title Volume 5053 Folio 207 any notification that the lands comprised therein are held subject to any trusts estates or interests; and shall upon such application remove and withdraw from the said Certificate of Title the Notification that the land comprised therein is subject to the provisions of Section 340A of the Local Government Act, 1919.

**Exchange of land.**

**4.** (1) The Council of the City of Lismore is hereby empowered to convey and transfer the said lands described in the First Schedule hereto, freed and discharged from all trusts, estates or interests affecting the same, unto the said HARRY CHARLES NIELSON in fee simple subject to the said HARRY CHARLES NIELSON conveying or transferring unto the said Lismore City Council in fee simple the lands comprised in the Second Schedule hereto.

(2) From and after the conveyance or transfer to the said Lismore City Council of the lands comprised in the Second Schedule hereto the said Lismore City Council shall hold such lands for the purpose of a public garden and recreation space and for no other purpose.

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**THE FIRST SCHEDULE.****George VI.**

ALL THAT piece or parcel of land containing by admeasurement THREE ROODS TWENTY AND THREE-QUARTERS PERCHES, be the same a little more or less, situated in the Town of Lismore in the Parish of Lismore in the County of Rous and State of New South Wales, being Lot Twenty nine as shown on Miscellaneous Plan of Subdivision (Old System) No. 812 and being also Lot Twenty nine of Nielson's Upper Avondale Extended Estate that being a subdivision of part of Lots One, Two, Nine and Ten of Section Twenty and Lot Three of Section Twenty-one of the Lismore Estate Subdivision COMMENCING at the intersection of the Northern side of Music Street with the South Eastern side of Nielson Street And bounded on the North West by part of the South Eastern side of the said Nielson Street being lines bearing sixteen degrees fifty four minutes ninety-nine feet eight inches and thirteen degrees nineteen and one half minutes sixteen feet ten and one half inches to land comprised in Deposited Plan No. 18106 Thence on the North by part of the Southern boundary of land in the aforesaid Deposited Plan bearing ninety degrees forty minutes forty seconds three hundred and thirty two feet one and three quarters inches to Lot Four of Section Twenty of the Lismore Estate Thence on the East by part of the Western boundary of the said Lot Four of Section Twenty being a fenced line bearing one hundred and eighty degrees one hundred and ten feet to Music Street Thence on the South by the Northern side of that Street bearing two hundred and seventy degrees twenty minutes three hundred and sixty five feet to the point of commencement AND ALSO ALL THAT piece of land situated in the City of Lismore Parish of Lismore and County of Rous containing one acre one rood two and one half perches or thereabouts as shown in the Plan endorsed on Certificate of Title Volume 5053 Folio 207 and therein edged red.

**THE SECOND SCHEDULE.**

ALL THAT piece or parcel of land situate in Oakley Avenue containing by admeasurement seven acres one rood seven perches a little more or less and being Part of Lots one four five and six of section twenty one of the Lismore Estate Subdivision in the City of Lismore Parish of Lismore County of Rous and State of New South Wales COMMENCING at a point on the Southern side of Oakley Avenue distant ninety degrees eighteen minutes twenty seconds nine hundred and fifty seven feet one inch from the South Eastern intersection of that Street and Dibbs Street And bounded on the North by the Southern side of Oakley Avenue aforesaid being a line bearing ninety degrees eighteen minutes twenty seconds three hundred and sixty eight feet eight inches to the South Eastern end of Oakley Avenue Thence on the East by part of the Eastern side of Lot one and the

**George VI.** the Eastern sides of Lots four five and six of Section twenty-one of the Lismore Estate being a line bearing one hundred and eighty degrees fifteen minutes eight hundred and sixty one feet nine and three quarters inches to a road sixty six feet wide Thence on the South by the Northern side of this road being a line bearing two hundred and seventy degrees twenty three minutes three hundred and sixty eight feet eleven inches Thence on the West by a line bearing nought degrees sixteen minutes eight hundred and sixty one feet three and a half inches to the point of commencement.

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