

## MUNICIPALITY OF NORTH SYDNEY (WAVERTON PARK) ACT.

An Act to enable the Council of the Municipality of North Sydney to sell a small part of Waverton Park encroached upon by a building erected upon an adjoining property and to convey the same part free from all trusts, estates and interests affecting such part; to amend the Local Government Act, 1919, as amended by subsequent Acts, and for purposes connected therewith. [Assented to, 2nd December, 1952.] Elizabeth II.

WHEREAS one, Charles Hugo Carlsson, is the registered proprietor for an estate in fee simple of the whole of the lands comprised in Certificate of Title registered Volume 5162 Folio 203 which said Certificate comprises Lot 4A on Deposited Plan registered No. 19137 the land comprised in the said certificate being within the Municipality of North Sydney AND WHEREAS on or about the fourteenth day of January, 1949 the Council of the said Municipality approved of an application by the said Charles Hugo Carlsson to build upon the said Lot 4A and the said Charles Hugo Carlsson commenced to erect and continued to erect a certain building and approaches thereto mainly upon the said Lot 4A on the aforesaid Deposited Plan which said building and approaches encroached to some small extent upon lands which had been resumed on the seventh day of July 1944 by the said Council for park and recreation purposes and which said lands so encroached upon are included in Certificates of Title Volume 5263 Folio 205 and Volume 5543 Folio 159 and form part of the public reserve known as "Waverton Park" AND WHEREAS the said Council took proceedings in the Equity Jurisdiction of the Supreme Court (Suit No. 593 of 1950) to restrain the said Charles Hugo Carlsson from continuing to encroach upon the said Waverton Park and  
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**Elizabeth II.** for other consequential relief AND WHEREAS such suit by agreement is now standing over to enable the said Charles Hugo Carlsson to apply for a private Act to enable the said Council to sell to him that part of Waverton Park as is described in the Schedule to this Act at such price and subject to such terms as have been or may be agreed upon by and between the said Council and the said Charles Hugo Carlsson for an estate in fee simple freed and discharged from all trusts, estates and interests affecting the same and in settlement of the said suit 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:—

**Short title.** 1. This Act may be cited as the "Municipality of North Sydney (Waverton Park) Act 1952."

**Authority to sell and convey free from trusts.** 2. The land described in the Schedule hereto may be sold by the Council of the Municipality of North Sydney to Charles Hugo Carlsson of Number 5 Commodore Street, North Sydney and transferred by the said Council to him for an estate in fee simple freed and discharged of all trusts, estates or interests affecting the same.

**Authority to Registrar-General to give effect to this Act.** 3. The Registrar-General upon a duly stamped transfer in fee simple by the Council of the Municipality of North Sydney to the said Charles Hugo Carlsson of the land described in the Schedule to this Act being lodged for registration and upon payment of the fees prescribed shall issue to the said Charles Hugo Carlsson a Certificate of Title to the said land free of any caveat or notification that the same is affected by any trust, estate or interest affecting the same.

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ALL THAT piece or parcel of land containing by admeasurement one and one eighth perches or thereabouts situated in the Municipality of North Sydney Parish of Willoughby County of Cumberland and State of New South Wales being part of the land comprised in Certificates of Title Volume 5543 Folio 159 and Volume 5263 Folio 205 be the hereinafter stated several dimensions all a little more or less Commencing at a point on the south-westerly alignment of Commodore Street being the northmost corner of Lot 4A as shown on Deposited Plan No. 19137 and bounded thence towards the south-east by the north-westerly boundary of the said Lot 4A being a line bearing two hundred and twenty-eight degrees nineteen minutes seventy-two feet ten and one-half inches to the westmost corner of the said Lot 4A thence towards the north-west by a line bearing forty-one degrees twenty-eight minutes seventy-two feet three and one-half inches to the said alignment of Commodore Street thence towards the north-east by part of that alignment of Commodore Street being eight feet eight and one-quarter inches of an arc of a circle the centre of which is towards the north-east and the chord of which bears one hundred and thirty-one degrees one minute eight feet eight and one-eighth inches to the point of commencement.

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