

**BLACKTOWN MUNICIPAL COUNCIL (HILL TOP
AVENUE PUBLIC GARDEN AND RECREATION
SPACE) ACT.**

Elizabeth II An Act to enable the Council of the Municipality of Blacktown to transfer certain land in Hill Top Avenue, Municipality of Blacktown, freed from all trusts, estates and interests affecting such land; to amend the Local Government Act, 1919, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 21st December, 1964.]

Preamble.

WHEREAS there is vested in the Council of the Municipality of Blacktown (hereinafter referred to as "the said Council") certain land in Hill Top Avenue, Blacktown, for a Public Garden and Recreation Space (hereinafter referred to as "the Council's Reserve") AND WHEREAS Cecil Bird of Hill Top Avenue, Blacktown (hereinafter referred to as "Bird") is registered as the proprietor of an estate in fee simple of land being Lot 5 on Deposited Plan No. 30246 being the whole of the land comprised in Certificate of Title Volume 7896 Folio 207 AND WHEREAS it has been ascertained that, by an error in survey, a residence was erected on the said land and encroached on an area of the Council's Reserve described in the First Schedule hereto (hereinafter referred to as "the encroached land") AND WHEREAS Bird is desirous of acquiring the encroached land from the said Council and has offered in exchange to transfer to the said Council the land described in the Second Schedule hereto being portion of Lot 5 on Deposited Plan No. 30246 AND WHEREAS the said Council is desirous of transferring the encroached land in exchange for the land offered by Bird AND WHEREAS the said Council has no authority under the Local Government Act, 1919, as amended by subsequent Acts, to transfer the encroached land being part of a Public Garden and Recreation Space AND WHEREAS it is expedient to authorise the said Council to transfer to Bird the land described in the First Schedule hereto and to take in exchange the land described in the Second Schedule hereto in each case for an estate in fee simple: BE it therefore enacted

enacted by the Queen's Most Excellent Majesty, by and **Elizabeth II**
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 "Blacktown Municipal Short title.
Council (Hill Top Avenue Public Garden and Recreation
Space) Act, 1964".

2. The land described in the First Schedule to this Act may be transferred by the said Council of the Municipality of Blacktown to Cecil Bird of Hill Top Avenue, Blacktown, for an estate in fee simple freed and discharged from all trusts, estates and interests affecting the same subject to the said Cecil Bird transferring to the said Council the land described in the Second Schedule hereto, for an estate in fee simple freed and discharged from all trusts, estates or interests affecting the same.

3. The Registrar-General, upon the relevant transfers being lodged for registration and subject to the payment of the prescribed fees, shall issue to the Council of the Municipality of Blacktown a Certificate of Title to the land described in the Second Schedule hereto, to be held by such Council for the purpose of a Public Garden and Recreation Space, and to Cecil Bird a Certificate of Title to the land described in the First Schedule hereto, subject to the same estates or interests as is the land comprised in Certificate of Title Volume 7896 Folio 207.

Authority
to Registrar-
General to
give effect
to this
Act.

SCHEDULES.

Sec. 2.

FIRST SCHEDULE.

ALL THAT piece or parcel of land situate at Blacktown in the Municipality of Blacktown Parish of Prospect County of Cumberland being part of the Public Garden and Recreation Space shown upon Deposited Plan No. 30246 and containing an area of three-quarter perch

Blacktown Municipal Council (Hill Top Avenue Public Garden and Recreation Space) Act.

Elizabeth II perch or thereabouts, Commencing at a point on the northern side of Hill Top Avenue being the south-western corner of Lot 5 in the said Deposited Plan No. 30246 and bounded thence on the north-east by part of the south-western boundary of the said Lot 5 being a line bearing 342 degrees 36 minutes 40 seconds for 78 feet 10 $\frac{1}{2}$ inches thence on the west by a line bearing 179 degrees 38 minutes 30 seconds for 22 feet 7 $\frac{1}{2}$ inches thence on the south-west by a line bearing 156 degrees 50 seconds for 57 feet 7 $\frac{1}{4}$ inches to the point of commencement.

SECOND SCHEDULE.

ALL THAT piece or parcel of land situate at Blacktown in the Municipality of Blacktown Parish of Prospect County of Cumberland being part of Lot 5 shown upon Deposited Plan No. 30246 and containing an area of one perch or thereabouts, Commencing at the north-western corner of the said Lot 5 and bounded thence on the north by the northern boundary of the said Lot 5 being a line bearing 89 degrees 38 minutes 30 seconds for 14 feet thence on the east by a line bearing 179 degrees 38 minutes 30 seconds for 45 feet 8 $\frac{1}{2}$ inches to the south-western boundary of the said Lot 5 thence on the south-west by part of the said south-western boundary of Lot 5 being a line bearing 342 degrees 36 minutes 40 seconds for 47 feet 9 $\frac{1}{2}$ inches to the point of commencement.
