

LEETON WAR MEMORIAL ACT.

Act No. 40, 1961.

Elizabeth II,
No. 40, 1961

An Act to authorise the sale by the trustees of the Leeton War Memorial to the trustees of the Leeton Soldiers' Club of certain land at Leeton dedicated under the Crown Lands Consolidation Act, 1913, and the Irrigation (Amendment) Act, 1916, as amended by subsequent Acts, for the purpose of a War Memorial; and for purposes connected therewith. [Assented to, 22nd November, 1961.]

BE it 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 "Leeton War Memorial Act, 1961".

Authority to accept surrender of lease of and to sell certain land held for Leeton War Memorial.

2. The trustees for the time being of the Leeton War Memorial shall have power—

- (a) to accept a surrender of a certain lease, dated the twenty-fifth day of May, one thousand nine hundred and forty-nine, and registered in the office of the Registrar-General as number F.543281, of part of the land described in the Schedule to this Act;
- (b) to sell the land described in the Schedule to this Act, or any part thereof, freed and discharged from all trusts affecting the same, to the trustees of the Leeton Soldiers' Club at a price to be agreed upon between the parties whether or not such price is less than the true value of the land sold;
- (c) to execute all transfers and instruments necessary to the due exercise of the powers conferred by this Act.

3.

3. On and from the completion of the sale referred to in section two of this Act, the Crown Grant dated the fourth day of February, one thousand nine hundred and forty-four, and registered in the office of the Registrar-General as volume five thousand four hundred and six folio one hundred and thirty-two, whereby certain land was granted to certain persons upon trust to use the land as the site for a War Memorial and for no other use trust or purpose whatsoever—

No. 40, 1961
Effect of
Crown
Grant of
Leeton War
Memorial.

- (a) shall be deemed to have had effect before such completion as if the trust relating to the use of the land and the proviso relating, inter alia, to the cesser of the trust and the forfeiture and reverter of the land had not been inserted in the Crown Grant; and
- (b) shall have effect after such completion as if the said trust and proviso applied only to the land comprised in the Crown Grant and not the subject of the sale, and not to the land the subject of the sale.

4. The proceeds of the sale referred to in section two of this Act shall be held by the said trustees of the Leeton War Memorial, after payment of the costs and expenses incurred by them in respect of the sale, and any encumbrances of the land sold, for the general purposes of the trust affecting such part of the land comprised in the Crown Grant referred to in the Schedule to this Act as is not the subject of such sale.

Proceeds of
sale to be
held on trust.

5. (1) Upon a duly stamped surrender of the lease referred to in paragraph (a) of section two of this Act being lodged for registration and upon payment of the fees prescribed the Registrar-General shall register such surrender.

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

(2) Upon a duly stamped transfer in fee simple by the trustees of the Leeton War Memorial to the trustees of the Leeton Soldiers' Club of the land described in the Schedule to this Act, or of any part thereof, being lodged for registration and upon payment of the fees prescribed the Registrar-General shall issue to the trustees of the Leeton Soldiers'

Banks and Bank Holidays (Amendment) Act.

No. 40, 1961 Soldiers' Club a certificate of title in respect of the land described in the said transfer free of any notification or caveat that the same is affected by the trust or proviso referred to in section three of this Act.

Sec. 2.

SCHEDULE.

All that piece or parcel of land situated in the parish of Yarangery county of Cooper and State of New South Wales being part of allotment 18 section 55 Town of Leeton being also part Crown Grant Volume 5406 Folio 132 commencing at the westernmost corner of said allotment and bounded thence on the north-west by part of the north-western boundary of that allotment bearing 52 degrees 47 minutes 30 seconds 205.2 links thence on the north-east by a line bearing 129 degrees 45 minutes 30 seconds 84.9 links and by a line being also the centre line of a 9 inch brick party wall bearing 129 degrees 23 minutes 38.77 links thence again on the north-west by a line bearing 39 degrees 03 minutes 30 seconds 131.9 links thence again on the north-east by part of the north-eastern boundary of allotment 18 aforesaid bearing 129 degrees 03 minutes 30 seconds 223.66 links thence on the south-east and south-west by the south-eastern and south-western boundaries of that allotment bearing 219 degrees 39 minutes 30 seconds 337.2 links 310 degrees 06 minutes 30 seconds 392.6 links respectively to the point of commencement and containing an area of 1 acre 6½ perches or thereabouts.
