

# Leeton War Memorial Act 1961 No 40

[1961-40]



New South Wales

## Status Information

### Currency of version

Repealed version for 22 November 1961 to 5 July 2012 (accessed 22 November 2024 at 23:06)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by Sch 5 to the *Statute Law (Miscellaneous Provisions) Act 2012 No 42* with effect from 6.7.2012.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 6 July 2012

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# Leeton War Memorial Act 1961 No 40



New South Wales

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.

## 1 Name of Act

This Act may be cited as the [Leeton War Memorial Act 1961](#).

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

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 Effect of Crown Grant of Leeton War Memorial

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:

- (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 Proceeds of sale to be held on trust**

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.

#### **5 Authority to Registrar-General to give effect to this Act**

- (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.
- (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' 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.

### **Schedule**

(Section 2)

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 6¼ perches or thereabouts.