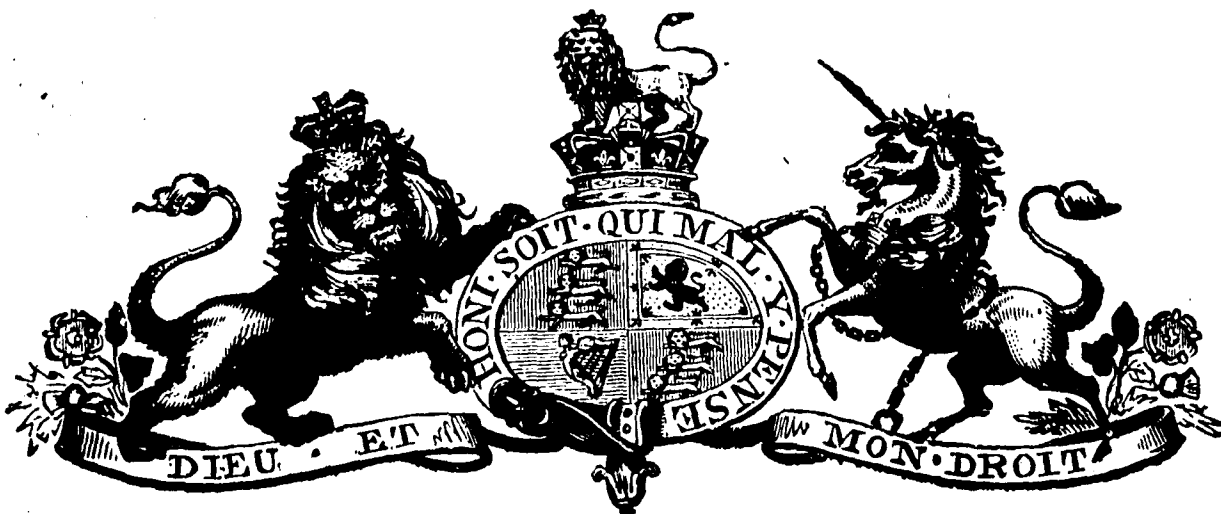


VICTORIA.



ANNO QUINTO

EDWARDI SEPTIMI REGIS.

No. 2000.

An Act to revoke the Permanent Reservation and Crown Grant of portion of the Site for Reservoir Stormwater Channel and Public Park at Eaglehawk and for other purposes.

[12th December, 1905.]

WHEREAS by an Order in Council bearing date the twenty-eighth day of January One thousand eight hundred and ninety the land described in the First Schedule to this Act was reserved from sale permanently as a site for Reservoir Stormwater Channel and Public Park at Eaglehawk: And whereas by a deed poll bearing date the thirty-first day of January One thousand eight hundred and ninety and registered in the register-book of the Office of Titles volume two thousand four hundred and twenty folio four hundred and eighty-three thousand five hundred and ninety-two the Governor in Council did grant the said land unto the Board of Land and Works and the Mayor Councillors and Burgesses of the Borough of Eaglehawk (hereinafter called the grantees) as a site for Reservoir Stormwater Channel and Public Park and offices and conveniences connected with the same: And whereas of the land so reserved and granted the portion described in the Second Schedule to this Act is not required for the purpose for which the land was reserved and granted and it is expedient that the reservation and Crown grant of such portion should be revoked: And whereas it is expedient that a portion of Fry-street in the municipal district of Eaglehawk be reduced in width: Be it therefore enacted by the King's Most

Preamble.

Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as the *Eaglehawk Land Act 1905*.

Order in Council
in part revoked.
Comp. No. 1921.

2. So far only as relates to the land described in the Second Schedule to this Act the Order in Council bearing date the twenty-eighth day of January One thousand eight hundred and ninety by which the land described in the First Schedule to this Act was reserved from sale permanently as a site for Reservoir Stormwater Channel and Public Park is hereby revoked.

Crown grant in part
revoked.

First and Second
Schedules.

Comp. No. 1447
s. 6 (4).

3. So far only as relates to the land described in the Second Schedule to this Act the Crown grant bearing date the thirty-first day of January One thousand eight hundred and ninety of the land described in the First Schedule to this Act shall be and the same is hereby made void revoked and annulled, and the Registrar of Titles is hereby authorized and directed to cancel the enrolment of record thereof in the Office of Titles so far as it relates to the said revocation and also to cancel to the like extent the duplicate Crown grant which the grantees are hereby required to produce to the said Registrar for such purpose; and the said land is hereby revested in His Majesty freed and discharged from all trusts limitations and restrictions whatsoever and shall be deemed to be and may be dealt with as unalienated land of the Crown.

Reduction in width
of Fry-street.
See No. 1893,
ss. 485-7.

Third Schedule.

4. (1) The portion of Fry-street in the municipal district of Eaglehawk situated south of Simpson's-road in the said municipal district may in the manner prescribed by the provisions of Division 5 of Part XVIII. of the *Local Government Act 1903* be reduced in width by the excision therefrom along the north-eastern side of the strip of land described in the Third Schedule to this Act not exceeding fifty links in width.

(2) Notwithstanding anything contained in the *Local Government Act 1903* any land so excised shall cease to be a street or road and shall not vest in the municipality of Eaglehawk but shall be and may be dealt with as unalienated land of the Crown.

SCHEDULES

FIRST SCHEDULE.

Land permanently reserved by Order in Council of the 28th January, 1890, as a Site for Reservoir, Stormwater Channel, and Public Park at Eaglehawk, vide Government Gazette of 31st January, 1890, page 361.

Thirty-nine acres twenty-five perches, county of Bendigo, parish of Sandhurst, municipal district of Eaglehawk: Commencing at the west angle of allotment 9A of section 16; bounded thence by Sailor's Gully-road, bearing N. 40° 39' W. seventy links; thence by allotment

Sections 2 and 3.

allotment 10 bearing N. 49° 21' E. two chains fifty-one links, N. 40° 46' W. thirty-eight links, and S. 49° 21' W. two chains fifty-one links; thence again by the Sailor's Gully-road bearing N. 40° 39' W. one chain twenty-five links; thence by allotment 3 bearing N. 49° 21' E. two chains fifty-one links and N. 40° 46' W. one chain twenty-five links; thence by Fry-street bearing N. 49° 14' E. one chain, N. 40° 46' W. seven chains sixty-one links, and N. 22° 21' W. seventy-five links; thence by Simpson's-road bearing N. 53° 15' E. six chains thirteen links; thence by allotment 1 of section 52 bearing S. 48° E. two chains fifty-five links by that allotment, allotment 2, a line, and allotment 3 bearing N. 53° 15' E. three chains sixteen links, and by the last mentioned allotment bearing N. 31° 55' E. sixty-nine links and N. 36° 45' W. two chains twenty-five links; thence again by Simpson's-road bearing N. 53° 15' E. twenty-six chains fifty-three links and a half and N. 66° 50' E. ten links; thence by Butts-road bearing S. 2° 14' E. eighty-eight links, S. 6° 10' E. eleven chains one link, and S. 21° 16' W. five chains four links; thence by Napier-street bearing S. 55° 38' W. eleven chains thirty-six links; thence by allotment 5 of section 42 bearing N. 34° 22' W. two chains fifty links, and by that allotment and allotments 4, 3, and 2 bearing S. 55° 38' W. four chains; thence by allotment 1 bearing S. 26° 51' W. two chains forty-five links and S. 45° E. one chain sixty-eight links; thence again by Napier-street bearing S. 44° 51' W. one chain fifty links; thence by allotment 2 of section 38 bearing N. 45° W. one chain sixty-five links, and by that allotment, allotment 1, and allotments 18, 17, 12, and 11 of section 16 bearing S. 44° 51' W. eight chains thirty-eight links; and thence by allotment 9A of section 16 aforesaid bearing S. 56° 9' W. two chains fifty-three links to the point of commencement.

SECOND SCHEDULE.

Sections 2 and 3.

Portion in respect of which the permanent reservation and Crown grant are to be revoked.

Four acres three roods fifteen perches, county of Bendigo, parish of Sandhurst, municipal district of Eaglehawk: Commencing at the west angle of allotment one of section fifty-two; bounded thence by that allotment bearing S. 48° E. two chains fifty-five links; thence by a line bearing S. 48° 19' E. four chains eighty-two and a half links; thence by a line bearing S. 44° 44' W. seven chains thirty-three links; thence by Fry-street bearing N. 40° 46' W. seven chains sixty-one links and N. 22° 21' W. seventy-five links; and thence by Simpson's-road bearing N. 53° 15' E. six chains thirteen links to the point of commencement.

THIRD SCHEDULE.

Section 4.

Description of land to be excised from Fry-street, Eaglehawk.

One rood twenty-seven perches, county of Bendigo, parish of Sandhurst, municipal district of Eaglehawk: Commencing at the intersection of the south-eastern side of Simpson's-road and the north-eastern side of Fry-street; bounded thence by lines bearing respectively S. 22° 21' E. seventy-five links, S. 40° 46' E. seven chains sixty-one links, S. 49° 14' W. fifty links, N. 40° 46' W. seven chains sixty-nine links, and N. 22° 21' W. seventy and two-tenth links, and thence by Simpson's-road aforesaid bearing N. 53° 15' E. fifty-one and six-tenth links to the point of commencement.

MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.