

No. 3456.

An Act to provide for the Sale by Auction of certain Crown Land in the Parish of Bunguluke temporarily reserved as a Site for Public Recreation and for the Permanent Reservation as a Site for Public Recreation of certain other Land in the said Parish and for other purposes.

[30th November, 1926.]

WHEREAS by an Order in Council of the tenth day of February One thousand nine hundred and fifteen the land described in the First Schedule to this Act was temporarily reserved as a site for public recreation: And whereas the land described in the Second Schedule to this Act is more convenient and suitable as a site for public recreation: And whereas Austin Edward Dillon, Thomas Robinson Moore, Farquhar William Matheson, John Alexander MacMillan and John William Milburn constitute the committee of management of the land described in the said First Schedule: And whereas the said persons have entered into a contract of sale for the purchase of the land described in the said Second Schedule and are desirous that such land should be transferred to His Majesty and thereafter permanently reserved for purposes of public recreation: And whereas it is expedient to provide for the revocation of the temporary reservation of the land described in the said First Schedule the sale of the said land by public auction and the reimbursement as hereinafter provided of the said committee of management out of the proceeds of such sale: Be it therefore enacted by the King's 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):—

Preamble.
Government
Gazette, 17th
February, 1915,
p. 748.
First Schedule.
Second
Schedule.

1. This Act may be cited as the *Wycheproof Land Act* 1926. Short title.

2. The

Revocation of temporary reservation of land described in First Schedule and sale thereof.

2. The said recited Order in Council of the tenth day of February One thousand nine hundred and fifteen temporarily reserving from sale as a site for public recreation the land described in the First Schedule to this Act is hereby revoked and the land described in the said Schedule—

- (a) shall be deemed to be unalienated land of the Crown; and
- (b) notwithstanding anything in the Land Acts may be sold in fee simple by public auction on such terms and subject to such covenants conditions exceptions and reservations as the Governor in Council thinks fit and for not less than such price as the Governor in Council directs.

The Board of Land and Works to receive proceeds. First Schedule.

3. The Board of Land and Works shall receive the proceeds of the sale of the land described in the First Schedule to this Act.

Application of proceeds of sale. Second Schedule.

4. When the land described in the Second Schedule to this Act has been transferred to His Majesty freed and discharged from all encumbrances (if any)—

- (a) the Board of Land and Works may apply the said proceeds (after deducting all costs and expenses of such sale) towards the reimbursement of the hereinbefore recited committee of management in respect of moneys paid by the said committee for the purchase of the land described in the Second Schedule to this Act; but if the proceeds of the sale of the land described in the First Schedule to this Act (after deducting all costs and expenses of such sale) are a greater sum than the purchase price of the land described in the Second Schedule to this Act the surplus shall be paid into the consolidated revenue; and
- (b) the land described in the Second Schedule to this Act shall on the registration in the Office of Titles of the transfer thereof be and be deemed to be unalienated land of the Crown freed and discharged from all encumbrances trusts limitations and restrictions and may in accordance with the Land Acts be permanently reserved for purposes of public recreation.

First Schedule.

Transfer to His Majesty and subsequent reservation.

SCHEDULES.

SCHEDULES.

FIRST SCHEDULE.

Preamble.

Land temporarily reserved as a Site for Public Recreation by Order in Council of the 10th day of February, 1915 (vide "Government Gazette" of 17th February, 1915, page 748).

Sections 2, 3, 4.

Seventy-eight acres sixteen perches, county of Kara Kara, parish of Bunguluke, being part of allotment 14 of section A: Commencing at the north-west angle of the allotment; bounded thence by a road bearing east nineteen chains eleven links; thence by the Water Supply Reserve bearing south thirteen chains and east five chains; thence by allotment 13 bearing S. $0^{\circ} 1' W.$ twenty-two chains ten links and west twenty-four chains nine links; and thence by allotments 16 and 15 and a road bearing N. $0^{\circ} 1' W.$ thirty-five chains ten links to the point of commencement.

SECOND SCHEDULE.

Preamble.

Land to be transferred to the King, and permanently reserved for purposes of Public Recreation.

Section 4.

Sixty-six acres one rood twenty-four perches, county of Kara Kara, parish of Bunguluke, being part of allotment 52 of section A: Commencing at a point bearing south one chain from the south-west angle of allotment 41; bounded thence by a road bearing east twenty-seven chains ninety-two links; thence by lines bearing respectively S. $0^{\circ} 5' W.$ twenty-nine chains seventy-nine links, S. $88^{\circ} 54' W.$ eight chains ninety-three links, north nine chains three links and west eighteen chains ninety-five links; and thence by a road bearing north twenty chains ninety-three links to the point of commencement.