

ROAD CLOSURE.

10° and 11° GEO. VI., No. XXXIX.

No. 39 of 1946.

AN ACT for the closure of certain roads and portions thereof and for other purposes.

[Assented to 24th January, 1947.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Road Closure Act, 1946.*

Closure of roads and rights-of-way mentioned in Schedule.

2. All those roads and rights-of-way and portions of roads and rights-of-way described in the Schedule to this Act are hereby closed and all rights of way over the same shall cease on the passing of this Act.

The Schedule. Item No. 9. of Road Districts Act, 1919-1943, s. 151 (3).

3. (1) On the passing of this Act each part of those rights-of-way, in this section referred to as "the closed rights-of-way" comprising the several strips of land described in paragraphs (a), (b) and (c) of item numbered nine in the Schedule to this Act shall by force of this Act vest as for an estate in fee simple therein in the owner for the time being of the land fronting such part, and if the lands on opposite sides of any such part are owned by different owners the contiguous half of such part to the middle thereof shall vest as for an estate in fee simple therein in each such owner.

(2) The Registrar of Titles shall on the application of the owner of land fronting any such part as is mentioned in subsection (1) of this section of the closed rights-of-way on payment of the prescribed fee cancel the relative certificate of title and issue a new one in which such part shall be included.

(3) When any land fronting any such part as is mentioned in subsections (1) and (2) of this section of the closed rights-of-way is subject to an encumbrance

whether by way of mortgage or otherwise as regards any estate or interest in such land, then such part shall, when the nature of the encumbrance so admits, on the issue of such new certificate of title showing the vesting thereof as in this section provided, become subject to such encumbrance as if it had been originally included therein by the owner for the time being of such estate or interest.

SCHEDULE.

Item No.	District.	Description.
1.	Augusta-Margaret River Road District.	<p>The following roads in the Augusta-Margaret River Road District:—</p> <p>(a) The surveyed road starting from the most westerly south-western corner of Sussex Location 2140 and extending generally south-easterly along the south-western boundaries of the said location to its southernmost corner.</p> <p>(b) The surveyed road starting from the north-western corner of Sussex Location 1200 and extending generally southerly as shown on Lands and Surveys Department Diagram B323 to the south-easternmost corner of Location 587.</p>
2.	Collie Municipal District.	<p>The following roads in the Collie Municipal District:—</p> <p>(a) All that portion of Roberts Street in the Collie Municipal District extending from the eastern alignment of Magnussen Street to the western alignment of Atkinson Street.</p> <p>(b) The right-of-way 25 links wide in the Collie Municipal District extending along the northern boundaries of Collie Lots 943 to 952 (inclusive).</p>
3.	Cue Road District.	<p>The following portion of a road in the Cue Road District:—</p> <p>All that portion of a road one chain wide in the Cue Road District extending along the north-eastern side of Big Bell Lot 238 from its northernmost corner to its easternmost corner.</p>
4.	Denmark Road District.	<p>The following roads in the Denmark Road District:—</p> <p>(a) The surveyed road starting from the westernmost north-western corner of Plantagenet Location 2046 and extending southerly along the western boundaries of the said location, Location 2300 and Denmark Town Lot 238 to the latter's south-western corner.</p>

Item No.	District.	Description.
		(b) The surveyed road starting at the south-eastern corner of Denmark Town Lot 641 and extending westerly along the southern boundaries of the said lot, Lots 640 and 639 to the latter's south-western corner.
		(c) The surveyed road starting at the south-eastern corner of Denmark Town Lot 632 and extending westerly along its southern boundary to its south-western corner.
		(d) The surveyed road starting at the easternmost south-eastern corner of Denmark Town Lot 238 and extending westerly along the southern boundary of the said lot and onwards to and along the southern boundaries of Lots 199 and 755 to the northern alignment of Road No. 8463 and the eastern boundary of Lot 241.
5. Murray Road District.	The following roads and rights-of-way in the Murray Road District:—	
		(a) The surveyed road one chain wide, starting from the prolongation north-easterly of the north-western boundary of Dwellingup Lot 193 and extending south-easterly along the north-eastern boundaries of Lots 193 and 202, together with truncations at the northern corner of Lot 193 and the western corner of Lot 194.
		(b) The one chain road starting from the prolongation south-easterly of the south-western boundary of Dwellingup Lot 194 and extending south-westerly to and along the south-eastern boundaries of Lots 202 to 209 (inclusive) to the prolongation south-easterly of the south-western boundary of Lot 209, together with truncations at the eastern corner of Lot 202 and the southern corner of Lot 209.
		(c) The rights-of way extending along the south-eastern boundaries of Dwellingup Lots 187 to 193 (inclusive) and Lots 194 to 201 (inclusive).

Item No.	District.	Description.
6.	Geraldton Municipal District.	<p>The following right-of-way in the Geraldton Municipal District:—</p> <p>The right-of-way 25 links wide in the Geraldton Municipal District passing between Geraldton Lots 470 to 477 (inclusive) and Lots 1030 to 1037 (inclusive) extending from Crowther Street to Burges Street.</p>
7.	Kalgoorlie Road District.	<p>The following rights-of-way in the Kalgoorlie Road District:—</p> <p>The rights-of-way 9 links wide in the Kalgoorlie Road District passing between the north-eastern sides of Kalgoorlie Lots 2575 and 2584 and the south-western sides of Lots 2574 and 2585.</p>
8.	Kalgoorlie District.	<p>The following portion of a road in the Kalgoorlie Road District:—</p> <p>All that portion of Davidson Street in the Kalgoorlie Road District extending from the north-eastern alignment of Wilson Street to the south-western alignment of President Street.</p>
9.	Nedlands Road District.	<p>All those rights-of-way in the Nedlands Road District comprising:—</p> <p>(a) a strip of land 15.15 links wide, being part of Swan Location 537, extending southerly, outside and along the eastern boundary of Lot 260 of Swan Location 537 on L.T.O. plan 1140, from Cross Street to Clement Street;</p> <p>(b) a strip of land 12.15 links wide, being part of Swan Location 537, extending southerly outside and along the western boundary of Lot 260 of Swan Location 537 on L.T.O. plan 1140, from Cross Street to Clement Street;</p> <p>(c) a strip of land 15.15 links wide, being part of Swan Location 537, extending easterly, outside and along the northern boundaries of Lots 290, 289, 288, 287, 286, 285 of Swan Location 537 on L.T.O. plan 1140, from Kirkwood road, to a line in prolongation northerly of the eastern boundary of the aforesaid Lot 285, together with truncations at the commencement and terminus.</p>

Item No.	District.	Description.
10.	Northampton Road District.	<p>The following roads and rights-of-way in the Northampton Road District until lately within the boundaries of the Isseka Townsite:—</p> <p>(a) Mercy Street extending from the eastern alignment of Railway Terrace to the eastern alignment of Rundel Street.</p> <p>(b) Burges Street extending from the eastern alignment of Railway Terrace to the western alignment of Rundel Street.</p> <p>(c) Bell Street extending from the eastern alignment of Railway Terrace to the eastern alignment of Rundel Street.</p> <p>(d) Rundel Street extending from the southern alignment of Mercy Street to the northern alignment of Bell Street.</p> <p>(e) The right-of-way 25 links wide passing between the western side of Isseka Lots 1 to 6 (inclusive) and the eastern side of Lots 21 to 26 (inclusive).</p> <p>(f) The right-of-way widening from 25 links to 25.1 links passing between the western side of Isseka Lots 7 to 13 (inclusive) and the eastern side of Lots 14 to 20 (inclusive).</p>
11.	Rockingham Road District.	<p>The following roads in the Rockingham Road District:—</p> <p>(a) The surveyed road one chain wide in the Rockingham Road District passing between the north-eastern side of Rockingham Lot 156 and the south-western side of Lot 157.</p> <p>(b) The surveyed road one chain wide in the Rockingham Road District passing between the north-eastern side of Rockingham Lot 157 and the south-western side of Lot 159.</p>
12.	Wagin Municipal District.	<p>The following roads in the Wagin Municipal District:—</p> <p>(a) The whole of Villa Street between the eastern alignment of Ventnor Street and the western alignment of Vesper Street.</p>

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		(b) All that portion of Ventnor Street bounded by lines starting from the northernmost corner of Wagin Town Lot 309 and extending 246 deg. 0 min. 1 chain; thence 336 deg. 0 min. 12 chains 53 $\frac{2}{10}$ th links; thence 135 deg. 55 min. 1 chain 63 $\frac{1}{10}$ th links; thence 156 deg. 0 min. 6 chains 50 links; thence 66 deg. 0 min. 44 links, to the southernmost corner of Wagin Town Lot 198; thence 156 deg. 0 min. 4 chains 50 links to the starting point.
