

An Act to provide for the Closing of a certain
Road in the City of Melbourne.

[29th July, 1935.]

WHEREAS by an Order in Council of the seventh day of November One thousand eight hundred and eighty-one the land described in the Schedule to this Act was permanently reserved as a site for a road, which road is known as Mercer-street :

And whereas it is expedient that the hereinbefore recited Order in Council of the seventh day of November One thousand eight hundred and eighty-one so far as relates to the land described in the said Schedule shall be revoked, and that the hereinbefore recited road known as Mercer-street shall be closed and all rights easements or privileges existing or claimed as regards the said road or the land forming the same either in the public or by any body or person whatsoever or whomsoever as incident to any past dedication or supposed dedication thereof or by any past user thereof or by any fiction of law shall cease and determine,
and

Preamble.
See
Government
Gazette 7th
October, 1881,
p. 2787, and
11th
November,
1881, p. 3086.
Schedule.

and that the land forming the said road shall be and be deemed to be and may be dealt with under the Land Acts as unalienated land of the Crown freed and discharged from all encumbrances reservations restrictions and limitations whatsoever :

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) :—

Short title.

1. (1) This Act may be cited as the *Melbourne Land (Mercer-street) Act 1935*.

Coming into operation.

(2) This Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Revocation of reservation of land described in Schedule.

2. (1) The hereinbefore recited Order in Council of the seventh day of November One thousand eight hundred and eighty-one, so far as relates to the land described in the Schedule to this Act, is hereby repealed.

Closing of Mercer-street.

(2) The hereinbefore recited road known as Mercer-street is hereby closed and all rights easements or privileges existing or claimed as regards the said road or the land forming the same either in the public or by any body or person whatsoever or whomsoever as incident to any past dedication or supposed dedication thereof or by any past user thereof or by any fiction of law shall cease and determine.

Land described in Schedule to be unalienated land of Crown.

(3) The land described in the Schedule to this Act shall be and be deemed to be and may be dealt with under the Land Acts as unalienated land of the Crown freed and discharged from all encumbrances reservations restrictions and limitations whatsoever.

Preamble.
Section 2.

SCHEDULE.

Land permanently reserved as a Site for a Road by Order in Council of 7th November, 1881 (see "Government Gazette" 7th October, 1881, page 2787, and 11th November, 1881, page 3086).

One rood thirty perches and six-tenths, county of Bourke, city of Melbourne, parish of Melbourne South: Commencing at the north-east angle of the Victorian Deaf and Dumb Asylum reserve; bounded thence by the Wesleyan Grammar School reserve bearing N. 89° 22' E. four chains forty-one links; thence by Punt-road bearing S. 1° 30' E. one chain; thence by the Presbyterian Church reserve and allotment 47A bearing S. 89° 22' W. four chains forty-two links; and thence by the Victorian Deaf and Dumb Asylum reserve aforesaid bearing N. 0° 25' W. one chain to the point of commencement.

No. 4291.