

7. Closure of portions of certain street widenings

- (1) The portions of Coolgardie, Ashburton, Queen and Behan Streets being the widenings contiguous to Lots 17, 18, 34, 49 and 50 of Canning Location 2 on Land Titles Office Plan No. 6099 are closed and all rights-of-way over them cease on the coming into operation of this Act.
- (2) The land comprised in each portion of the streets closed by the operation of the preceding subsection vest for an estate in fee simple in the respective owners for the time being of the lot contiguous thereto and shall be included in and form portion of that lot.
- (3) The Registrar of Titles shall, on the application of the owner of the land contiguous to any part of the road so closed and on payment of the prescribed fee, cancel the relative Certificate of Title and issue a new one in which the relative portion of the land as described in subsections (1) and (2) of this section shall be included.
- (4) Where any land contiguous to the part of the road so closed as is mentioned in subsections (1) and (2) of this section is subject to any encumbrance whether by way of mortgage or otherwise, as regards any estate or interest in the land, then the part shall, if the nature of the encumbrance so admits, on the issue of the new Certificate of Title showing the vesting of the part as in this section provided, become subject to the encumbrance as if it had been originally included in the encumbrance by the owner for the time being of that estate or interest.