

APPENDIX No. 55. 10

ORDINANCE. CAMPBELLTOWN LAND SALE.

(As Passed.)

AN ORDINANCE to authorise the sale of certain land situate at Cordeaux and Broughton Streets Campbelltown in the Parish of St. Peter County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS by virtue of two several Crown Grants under the hand of Sir George Gipps Governor each bearing date the thirtieth day of January One thousand eight hundred and forty-three the lands described in the First and Second Schedules hereto were (inter alia) granted unto the Right Reverend William Grant Broughton Bishop of Australia or the Bishop of Australia for the time being Francis Allman the elder and Robert Jenkins as to part thereof UPON TRUST for the appropriation thereof as the site of a dwelling house garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland as by law established erected at Campbelltown and known as St. Peter's and as to the remaining part thereof upon trust for the erection thereon of a School house in connection with the United Church of England and Ireland as by law established and for no other purpose whatsoever AND WHEREAS the said lands now stand vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Trustee) upon the trusts aforesaid AND WHEREAS by reason of circumstances subsequent to the said creation of the said recited trusts it has become expedient that the lands described in the First and Second Schedules hereto should be sold or otherwise dealt with as hereinafter provided The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and of all other powers enabling it in that behalf ordains declares rules and directs as follows:-

1. By reason of circumstances which have occurred since the creation of the said recited trusts it has become inexpedient--

- (a) To carry out or observe such trusts in so far as the same relate to the lands described in the Schedules hereto, and
- (b) To apply the proceeds of sale of the said lands for the same or the like purposes as those for which the said lands were held immediately before the passing of this Ordinance.

2. Subject to the provisos hereinafter contained the land described in the First and Second Schedules hereto may at any time hereafter be sold freed from any trusts existing in respect of the same either in one lot or in parcels by public auction or private contract at such price or prices and subject to any stipulations or conditions as to title or otherwise as may be deemed proper and with power for the said Trustee to buy in at any sale and to enter into any new contract for the sale of such land and for any of the purposes aforesaid to execute and do all such deeds assurances and things as the said Trustee shall think fit Provided always that the land described in the Second Schedule hereto shall not be sold until the expiration of five years from the date of the passing of the "St. Peter's Campbelltown Land Sale Ordinance of 1915" and until the land described in the First Schedule hereto (excepting such part or parts thereof as may be set apart or reserved for the purpose of streets or lanes) shall have been sold and for the purpose of this Ordinance such last mentioned land shall be deemed to have been sold so soon as a contract or contracts for the sale thereof either in one lot or in parcels shall have been entered into PROVIDED FURTHER and it is hereby declared that upon the sale of the land comprised in the Second Schedule hereto or any part thereof the purchaser or purchasers shall not be bound or concerned to see or enquire whether the whole of the land comprised in the First Schedule hereto has been sold or otherwise as to the regularity or propriety of any sale or sales thereof and notwithstanding any irregularity or impropriety any sale or sales of the land comprised in the Second Schedule hereto or any part thereof shall as regards the safety and protection of the purchaser or purchasers thereof be deemed to be within the aforesaid power of sale and be valid and effectual accordingly.

3. The said Trustee is hereby authorised forthwith or at any time to lay out form and dedicate any roads streets or lanes upon or through the said lands and for such purpose to expend all such moneys as it may think necessary or proper.

4. The proceeds of any sale or sales of the said lands or any part or parts thereof shall be paid to the said Trustee and shall be held by him upon and subject to the substituted trusts declared by Clauses 5 and 6 hereof.

5. The said Trustee shall hold the said proceeds of sale upon trust in the first place to pay thereout the costs and expenses of and incidental to this Ordinance and the said sale or sales and the conveyance or transfer of the said land in pursuance thereof and of the laying out formation and dedication of any such roads streets or lanes as aforesaid and of any costs charges or

expenses which may be incurred in connection with or which may be incidental to any application to bring the said lands under the provisions of the Real Property Act 1900. ANY part of the said purchase money not required to be applied as aforesaid may be invested by the said Trustee in any stocks funds or securities of or guaranteed by the Commonwealth of Australia or of any of the States of the said Commonwealth or upon the purchase of freehold properties in New South Wales or upon the security of mortgages over such properties or in the erection of any building or buildings on any land held upon trust for the Church of England at Campbelltown aforesaid with power from time to time to vary and transpose any such investments for any other or others of them and pending any such investment may be deposited with any Savings Bank or any Joint Stock Company carrying on the business of Bankers in New South Wales.

6. The income arising from such investments shall be paid by the said Trustee to the Rector and Churchwardens for the time being of the Parish of St. Peter Campbelltown aforesaid to be appropriated by them for such general purposes of the said Church or Parish as they may think proper.

7. This Ordinance shall be styled and cited as the "St. Peter's Campbelltown Land Sale Ordinance 1918."

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land containing by admeasurement one acre two roods and twelve perches be the same a little more or a little less and comprising part of the lands dedicated to Church of England School situated in the town of Campbelltown Parish of St. Peter County of Cumberland and State of New South Wales commencing at a point on the North-east side of Cordeaux Street bearing North-westerly seven chains fifty-six links from the most Northerly intersection of Cordeaux and Lindsay Streets being the most Southerly corner of the three acres and sixteen and a half perches dedicated to the Church of England School thence on the South-east bounded by part of the South-east boundary of the aforesaid area for School being a line bearing North-easterly six chains thirty links or thereabouts thence on the North-east by a line North-westerly two chains fifty links thence on the North-west by a line South-westerly six chains thirty links to Cordeaux Street thence by the North-east side of that street on the South-west being a line bearing South-easterly two chains fifty links to the point of commencement.

THE SECOND SCHEDULE HEREINBEFORE
REFERRED TO.

All that piece or parcel of land containing by admeasurement one acre two roods twelve perches be the same a little more or a little less and comprising parts of the lands dedicated to the Church of England School and Parsonage situated in the town of Campbelltown Parish of St. Peter County of Cumberland and State of New South Wales commencing at a point on the South-east boundary of the land dedicated to the Church of England School bearing North-easterly six chains thirty links from Cordeaux Street and bounded thence on the South-east by the North-easterly prolongation of that line being a line North-easterly six chains thirty links to the South-west side of Broughton Street thence on the North-east by that street North-westerly two chains fifty links thence on the North-west by a line bearing South-westerly six chains thirty links thence on the South-west by a line bearing South-easterly two chains fifty links to the point of commencement.

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

E. W. MOLESWORTH,

Chairman of Committees.

We certify that this Ordinance was passed on 9th October, 1918.

E. CLAYDON } *Secretaries*
W. R. BEAVER } *of the Synod*

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

15th October, 1918.