
Christ Church North Sydney Rectory Ordinance 1962.

No. 19, 1962.

AN ORDINANCE to repeal the Christ Church North Sydney Parsonage Sale Ordinance of 1899, to vest certain land in Lavender Street, North Sydney in Church of England Property Trust, Diocese of Sydney, to authorise the sale of certain Commonwealth Treasury Bonds held upon trust for "Christ Church Hall Fund," to vary the trusts of the application of the proceeds and to provide for repayment of the face value of such bonds and purposes incidental thereto.

WHEREAS by Indenture of Conveyance dated 20th June, 1878 Registered No. 794 Book 181 made between Frederick Alfred Adolphus Wilson and William Henry Mackenzie the Younger of the one part and George Richard Dibbs and William Cornelius Goddard of the other part the land and hereditaments described in the first schedule hereto were granted bargained sold and released unto the said George Richard Dibbs and William Cornelius Goddard (hereinafter called the Trustees) but no trusts in writing were declared concerning the said land AND WHEREAS by the Christ Church North Sydney Parsonage Sale Ordinance of 1899 it was recited that the said land was conveyed to the said Trustees to the intent that the same should be held by them upon trust as a Parsonage or dwelling house for the use of the Minister duly licensed to officiate in the Church known as Christ Church at North Sydney AND WHEREAS by Indenture of Conveyance dated 22nd December 1920 made between the Permanent Trustee Company of New South Wales Ltd. (Executor of the Will of the said William Cornelius Goddard the survivor of the said Trustees) of the one part and Richard Old and Ernest Hugo Scales of the other part Registered No. 754 Book 1211 the said Company conveyed the said land unto the said Richard Old and Ernest Hugo Scales AND WHEREAS the said Richard Old and Ernest Hugo Scales held the said land as Trustees for the said Parish of Christ Church North Sydney but no trusts in writing have been declared by them concerning the same AND WHEREAS the said land is and has been since its acquisition by the said original Trustees used and occupied as the Rectory of Christ Church North Sydney and is church trust property held for the sole benefit of such Parish AND WHEREAS the said Richard Old and Ernest Hugo Scales are both now deceased and it is expedient that the land be vested in Church of England Property Trust,

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Diocese of Sydney and it is also expedient that the trusts of the said land be declared and that the said Christ Church North Sydney Parsonage Sale Ordinance of 1899 be now repealed AND WHEREAS the Churchwardens of the said Parish recently borrowed from the Commonwealth Trading Bank of Australia the sum of Four thousand pounds (£4,000:) for the purpose of effecting repairs and renovations to the said Rectory AND WHEREAS as security for the said advance the Churchwardens deposited with the said Bank certain Commonwealth Treasury Bonds more particularly set out in the second schedule hereto AND WHEREAS the said Bonds represent the investment of moneys raised and subscribed towards the erection of a new Parish Hall for the said Parish and were held for the fund known as "Christ Church Hall Fund" AND WHEREAS it is not the intention of the said Parish to proceed with the erection of the proposed new hall for some considerable time and it is inexpedient to carry out the trusts upon which the said Bonds are now held and it is expedient that the same be sold and the net proceeds applied in repaying the loan by the said Bank and that provision be made for reimbursement of the face value of the said bonds together with interest to the said "Christ Church Hall Fund" as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DIRECTS AND RULES as follows:-

1. Christ Church North Sydney Parsonage Sale Ordinance of 1899 is hereby repealed.

2. That the land described in the first schedule hereto be and the same is hereby vested in Church of England Property Trust, Diocese of Sydney upon trust to permit the same to be used as a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of Christ Church North Sydney.

3. That by reason of circumstances which have arisen subsequent to the trusts upon which the Commonwealth Treasury Bonds described in the second schedule hereto are held it is inexpedient to carry out and observe the same and it is expedient that such Bonds be sold.

4. The Churchwardens of the Parish of Christ Church North Sydney are hereby authorised and empowered to sell the said Bonds freed from the trusts upon which they are now held.

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5. The net proceeds of the sale of the said Bonds shall be applied firstly in the payment of the costs and expenses of and incidental to this Ordinance and the registration of a copy thereof and the balance in repayment of the advance by the Commonwealth Trading Bank of Australia now secured by the said Bonds.

6. The Churchwardens of the said Parish shall cause to be paid from the general funds of the said Parish to the "Christ Church Hall Fund" the sum of Four thousand one hundred and sixty pounds (£4,160:) (being the face value of the said Bonds) together with interest thereon at the flat rate of Four pounds (£4:0:0) per centum per annum over a period of ten years from the date of such sale by equal annual instalments of Five hundred and eighty two pounds eight shillings (£582:8:0) the first of which shall be made one year after the said date of sale.

7. This Ordinance may be styled "Christ Church North Sydney Rectory Ordinance 1962."

FIRST SCHEDULE

All that allotment or parcel of land containing by admeasurement two roods situate in the Town of St. Leonards and Parish of Willoughby County of Cumberland being allotment number three of section number one commencing at the south-east corner of allotment number two and bounded on the south by Lavender Street bearing east one chain, on the east by the western boundary of allotment number four bearing north five chains, on the north by the southern boundary of allotment number twelve bearing west one chain, and on the west by the eastern boundary of allotment number two bearing south five chains.

SECOND SCHEDULE

5%	15.9.74	£100
3½%	15.11.65	£2,460
5%	15.9.74	£400
5%	15.4.63	£300
5%	15.12.79	£100
5%	15.9.74	£100
5½%	15.2.82	£100
4½%	15.10.67	£600 — Total £4,160

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of July 1962.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

30/7/1962.

HUGH SYDNEY,
Archbishop of Sydney.