

ENDOWMENT OF THE SEE (EASEMENT) ORDINANCE 1980

NO. 44 ~~of~~ 1980

An ordinance to declare and vary the trusts of certain land at Stanmore to permit the granting of an easement on part thereof.

WHEREAS:

A. Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor in fee simple of the land described in the First Schedule (hereinafter called the "Church Land").

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B. The Church Land is church trust property but no trusts in writing have been declared.

C. It is expedient that the trusts <sup>thereof</sup> hereof be declared.

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D. Barry John Sheridan and Mary Blanche Sheridan his wife (hereinafter called the "Purchasers") have contracted to purchase the land described in the Second Schedule.

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E. The land described in the Second Schedule adjoins the Church Land.

F. The eave and gutter attached to the southern wall of the improvements erected on the land described in the Second Schedule project over the Church Land to the extent of 440 millimetres.

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G. The Purchasers have requested the Corporate Trustee for an easement in relation to the encroachment while the existing improvements remain.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

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1. The Church Land shall be held by the Corporate Trustee upon the trusts set out in the Seventh Schedule to the Endowment of the See Ordinance 1977.

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2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the Church Land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied.

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3. The Corporate Trustee is hereby empowered to grant an easement  
 30 to permit the said encroachment over the Church Land in favour of the  
 registered proprietors for the time being of the land described in the  
 Second Schedule so long as the present improvements encroach upon the  
 Church Land provided that all legal costs survey costs and any other  
 35 charges relating to or pursuant to this ordinance be borne by the  
 Purchasers.

4. This ordinance may be cited as the "Endowment of the See (Easement)  
 Ordinance 1980."

FIRST SCHEDULE

40 ALL THAT land situate at Stanmore in the Municipality of Marrickville  
 Parish of Petersham County of Cumberland being Lot 2 in D.P. 229097  
 and being the whole of the land in Certificate of Title Volume 10344  
 Folio 215 and known as 8 Merchant Street Stanmore.

SECOND SCHEDULE


45 ALL THAT land situate at Stanmore in the Municipality of Marrickville  
 Parish of Petersham County of Cumberland being Lot 1 in D.P. 229097  
 and being the whole of the land in Certificate of Title Volume 10344  
 Folio 214, and known as 6 Merchant Street Stanmore.

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



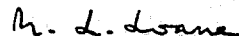
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee  
 of the Synod of the Diocese of Sydney on the 15<sup>th</sup> day of December  
 1980.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney.

15/12/1980.