
Narellan Land Sale Ordinance, 1962

No. 46, 1962.

AN ORDINANCE to authorise the sale of certain lands at Narellan and Elderslie in the Municipality of Camden and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in certificate of Title Registered Volume 4596 Folio 73 AND WHEREAS the land described in the First, Second and Third parts of the Schedule hereto form part of the said land AND WHEREAS the land described in the first part of such Schedule is subject to a Lease Registered No. D335745 to Joyce Mary Curtis for the term of twenty-eight years from 24th February 1943 and the land described in the second part of such schedule is subject to a Lease Registered No. D44546 as supplemented by a certain Deed of Variation Dated 16th September 1953 to Albert De Boer for a term of twenty eight years from 1st March 1952 AND WHEREAS by an Indenture of Conveyance dated 3rd August 1875 Registered No. 918 Book 143 made between the Honourable Charles Campbell of the one part and The Bishop of Sydney of the other part the land described as Lots, 31, 32, 33, 36 and 37 of the Village of Elderslie in the Parish of Narellan more particularly described in the fourth part of the said Schedule were inter alia conveyed unto the Bishop of Sydney upon trust to permit the same to be used as a Glebe in connection with Saint Paul's Church Narellan for the benefit of the Clergymen for the time being licensed to officiate in such Church AND WHEREAS the lands described in the first, second and third parts of the said Schedule originally formed part of the land comprised in the said Conveyance and are likewise subject to the same trusts AND WHEREAS no documentary title can be established to Lots 29, 30, 34 and 35 of the Village of Elderslie aforesaid described in the fifth part of the said Schedule but a possessory title by reason of long occupation may be established thereto AND WHEREAS by Deed of Conveyance dated 24th February 1937 Registered No. 196 Book 1775 made between John Bruchhauser of the first part and Harriet Outterside of the second part the Corporate Trustee of the third part Lot 24 of the Village of Elderslie (incorrectly referred to in such Deed as Ellerslie) more particularly described in the sixth part of the Schedule was inter alia conveyed to the Corporate Trustee in fee simple but no trusts in writing were or have been declared

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concerning the same AND WHEREAS it is expedient that the land described in the fourth part of the said Schedule be vested in the Corporate Trustee AND WHEREAS by reason of circumstances which have arisen subsequent to the trusts upon which all the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS RULES AND DIRECTS as follows:-

1. That the land described in the fourth part of the Schedule hereto be and the same is hereby vested in the Corporate Trustee.

2. By reason of circumstances which have arisen subsequent to the trusts upon which the lands described in the Schedule hereto are held it is inexpedient to carry out and observe the same and it is expedient the said lands be sold.

3. The Corporate Trustee is hereby empowered to sell the land described in the said Schedule together or in parcels by public auction or private contract at such time or times at such price or prices and upon such terms and conditions as the Corporate Trustee shall think fit freed from the trusts upon which it is now held.

4. The Corporate Trustee may make application to bring the land described in the fifth and sixth parts of the said Schedule or any part or parts thereof under the provisions of the Real Property Act 1900 and to obtain all necessary surveys and do all things necessary in connection with such application.

5. The proceeds of the sale or sales hereby authorised shall after paying thereout the costs charges and expenses of and incidental to this Ordinance, any real property application hereby authorised and the costs of and incidental to the sales-transfers and conveyances in pursuance of this Ordinance and all outgoings to which the said land may be subject shall be invested by the Corporate Trustee and the income arising therefrom paid to the Churchwardens for the time being of St. Paul's Church Narellan to be applied towards the stipend of the incumbent for the time being of the Parish of Narellan.

6. This Ordinance may be cited as "Narellan Land Sale Ordinance, 1962."

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SCHEDULE

FIRST PART

All that piece or parcel of land situated in the Municipality of Camden Parish of Narellan County of Cumberland containing 1 acre 2 roods 12 perches or thereabouts being that part of Lot 24 of the Elderslie Estate not resumed by the Electricity Commission of New South Wales by Notice of Resumption published in Government Gazette No. 75 of 10th August 1962 and being part of the land comprised in Certificate of Title Volume 4596 Folio 73.

SECOND PART

All that piece or parcel of land situated as aforesaid containing 14 acres 3 roods 12 perches being Lots 26 and 27 of the Elderslie Estate and being part of the land comprised in Certificate of Title Volume 4596 Folio 73.

THIRD PART

All that piece or parcel of land situated as aforesaid containing 4 acres 2 roods 20 perches having a frontage of 683 and 9/10 links to Macarthur Street being part of Lot 46 of the Elderslie Estate and being part of the land comprised in Certificate of Title Volume 4596 Folio 73.

FOURTH PART

All that piece or parcel of land situated as aforesaid containing 1 acre 3 roods 6 perches or thereabouts situated at Elderslie in the Parish and County aforesaid being Lots 31, 32 and 33 of the Village of Elderslie bounded on the south by a line bearing east 36 degrees 20 minutes south 6 chains 23 links on the east by Harrington Street bearing north 36 degrees 20 minutes east 3 chains on the north by the south boundary of Lot No. 34 bearing west 36 degrees 20 minutes north 5 chains 85 links and on the west by the South road bearing south 1 chain and south 46 degrees 30 minutes west 2 chains 3½ links subject however to a reservation 2 chains wide along the south eastern side of Hume Highway ALSO ALL THAT parcel of land containing by admeasurement 3 roods and 13 perches situated as aforesaid being Lots 36 and 37 of the Village of Elderslie commencing at the intersection of Broughton Street and Harrington Street and bounded on the east by Harrington Street bearing south 36 degrees 20 minutes west 2 chains on the south by the northern boundary of Lot 34 bearing west 36 degrees 20 minutes north 3 chains 66 links on the north by that Street bearing east 53 degrees 40 minutes south 3 chains 36 links to the point of commencement.

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FIFTH PART

All that piece or parcel of land situated, as aforesaid being Lots 29 and 30 and Lots 34 and 35 of the Village of Elderslie subject however to a reservation 2 chains wide along the south eastern side of Hume Highway.

SIXTH PART

All that piece or parcel of land containing by admeasurement 2 roods 37¼ perches or thereabouts situated at Narellan in the Parish of Narellan County of Cumberland and State of New South Wales be the hereinafter several dimensions a little more or less:- being Lot 24 of the Village of Elderslie and being part of John Oxley's grant of 820 acres ex. road Portion 9 Parish. Commencing at a point on the south eastern side of the Hume Highway being the westernmost corner of Lot 25 Village of Elderslie said point being distant from the intersection of that side of that highway with the south western side of Hilder Street by lines bearing respectively 226 degrees 58 minutes 541.7 links and 237 degrees 2 minutes 30 seconds 850.9 links and bounded thence on the north east by the south western boundary of Lot 25 Village of Elderslie aforesaid bearing 135 degrees 15 minutes 722.6 links to the north western side of Harrington Road thence on the south east by that side of that road bearing 225 degrees 15 minutes 100 links thence on the south west by the north eastern boundary of Lot 23 Village of Elderslie aforesaid bearing 315 degrees 15 minutes 743.5 links to the south eastern side of Hume Highway aforesaid and thence on the north west by that side of that Highway bearing 57 degrees 2 minutes 30 seconds 102.1 links to the point of commencement. Subject to a reservation of 2 chains wide along the south eastern side of the Hume Highway.

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 26th day of November, 1962.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HUGH SYDNEY,

Archbishop of Sydney.

26/11/1962.