

4/1909

AN ORDINANCE to authorise the sale of certain land situate in Northwood Road and Osborne Street Parish of Lane Cove and to provide for the application of the proceeds of sale.

WHEREAS under and by virtue of a Certificate of Title under the Real Property Act dated the second day of November one thousand nine hundred and five registered Volume 1648 Folio 123 ALL THAT piece of land containing one rood and thirty-seven and one-half perches situated in the Borough of Lane Cove Parish of Willoughby County of Cumberland and which is more particularly described in the First Schedule hereto is now vested in the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the Corporate Trustees) as registered proprietors in fee simple. AND WHEREAS by Declaration of Trust dated the fourth day of January one thousand nine hundred and six under the Common Seal of the Corporate Trustees it was declared that the Corporate Trustees and their successors should and would thereafter hold the said piece of land UPON TRUST to permit a Church to be erected on the said land and if the said Property Trust deemed fit or desirable to permit to be erected on such land a School and Minister's dwelling or either of such buildings and to be subject to the regulations (so far as they might be applicable) contained in the "Sydney Church Ordinance" or in any other Ordinance to be passed by the Synod of the Diocese of Sydney altering or modifying the first mentioned Ordinance. AND WHEREAS no Church or School and Minister's dwelling has been erected on the said land described in the First Schedule hereto and hereinafter referred to as the Old Church site in conformity with the said Trust and the said Old Church site has never been built on or occupied. AND WHEREAS the said Old Church site is unsuitable as a site for a Church for the district of Longueville and Northwood by reason of its not being in a central position and being also rocky and unsuitable for the building of a Church. AND WHEREAS the piece of land described in the Second Schedule hereto (hereinafter referred to as the New Church site) has been secured and is more suitable for a Church site being in a more central position between Longueville and Northwood and is of larger area and more level and suitable for building on and of sufficient area to permit of the erection of a Church as well as a School and Minister's dwelling. AND WHEREAS it is proposed to erect on the said New Church site a School-church and also ultimately a permanent Church and a Minister's dwelling. AND WHEREAS it is expedient that the said Old Church

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site should be sold and the proceeds applied in or towards the erection of the said School-Church on the New Church site. NOW THEREFORE THE SYNOD OF THE DIOCESE OF SYDNEY in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said Trust it has become inexpedient to carry out or observe the purpose for which the said Old Church site being the land particularly described in the First Schedule hereto is by such Trust devoted.

2. The said Old Church site being the land described in the First Schedule hereto may be sold by public auction or private contract and either in one lot or in several lots at such price or prices and upon such terms and conditions as the Corporate Trustees may deem expedient freed from such Trust as aforesaid.

3 The purchase money arising from the said sale or sales shall be paid to the Corporate Trustees and shall be applied by them in or towards the expense of erecting on such New Church site or a portion thereof a School-Church of brick or other buildings according to plans and specifications to be approved by the Archbishop of Sydney as soon as the New Church site shall have been vested in the said Corporate Trustees.

4. Any part of the said purchase money not immediately required to be applied as aforesaid may be invested by the said Corporate Trustees in any public funds or Government stock or Government securities or on mortgage of freehold properties in any part of New South Wales and pending such investment may be deposited at interest with the Savings Bank of New South Wales or with any Government Savings Bank or with any Joint Stock Company carrying on the business of Bankers in Sydney and the income arising from any such investment shall be accumulated and all such accumulations shall follow the destination of the original fund.

5. This Ordinance shall be styled and cited as "The Northwood Land Sale Ordinance of 1909."

[SCHEDULE.]

 Northwood.

THE FIRST SCHEDULE.

That piece of land situated at Northwood in the Borough of Lane Cove Parish of Willoughby and County of Cumberland containing one rood and thirty-seven and one-half perches of thereabout commencing on the North-Eastern side of Northwood Road at its intersection with Osborne Street and bounded thence on the East by Osborne Street bearing Northerly three hundred and two feet four and one-quarter inches to W. Davy's one rood and five perches on the North-West by that land bearing South two hundred and fifty-one feet to Northwood Road aforesaid and on the South-West by that road bearing South-Easterly one hundred and sixty-eight feet six and one-quarter inches to the point of commencement being part of Lot 81 of Section 1 of Nipp's Estate and also part of three hundred and twenty acres (portion 32 of parish) delineated on the public map of the said parish deposited in the Department of Lands originally granted to Archibald Little and John Yeomans by Crown Grant dated the seventeenth day of June one thousand eight hundred and fifty-four and being the whole of the land comprised in Certificate of Title registered Volume 1648 Folio 123.

THE SECOND SCHEDULE.

That piece of land containing two roods nineteen perches and one-tenth of a perch situate at Longueville in the Borough of Lane Cove Parish of Willoughby County of Cumberland being lots 4 5 and 6 as shown on a plan deposited at the Lands Titles Office and numbered 2459 being part of the land comprised in Certificate of Title registered Volume 901 Folio 225.

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

EDW. H. ROGERS,

Chairman of Committees.

We certify that this Ordinance was passed this 9th day of December, 1900.

A. G. STODDART, } *Secretaries of*
W. R. BEAVER, } *Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

16th December, 1900.