

*St. Paul's Sydney Land Leasing.*

4 | 1888

AN ORDINANCE to enable certain Church land in Regent Street, in the Parish of St. Paul's, Sydney, in the Colony of New South Wales, to be demised, and to provide for the application of the rents thereof.

*(Assented to 17 April 1888.)*

*(Amended 29 August 1896.)*

WHEREAS by Crown Grant bearing date the twenty-eighth August, 1857, the land described in the first Schedule hereto was granted by the Crown under the seal of the Territory of New South Wales, and the hand of the then Governor of the Colony, Sir William Thomas Denison, Kt., unto and to the use of Robert Tooth, George James Armytage, Esquires, and the Reverend William Horatio Walsh, for ever upon trust to use and apply the said land "for the erection thereon of a School House in connection with the United Church of England and Ireland as by law established." And whereas a School House was erected upon a portion of the said land in conformity with the said trust but by reason of circumstances which have occurred since the creation of the said trust it is expedient that the said School House should be taken down and a new School House erected on other portion of the said land. And that in order to provide funds for the erection of the said School House such portion of the said land as is described in second Schedule hereto should be demised and that the rents thereof should be applied and dealt with in manner hereinafter provided. 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 United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the "Sydney

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Bishopric and Church Property Act 1887" ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said recited trust it has become inexpedient to carry out or observe the particular purpose or purposes to which the portion of the said land described in the second Schedule hereto is by the said trust devoted.

2. The whole or any portion or portions of the land comprised in the second Schedule hereto may be demised freed from the trust aforesaid to any person or persons for any term not exceeding twenty-eight years to take effect in possession upon building leases so as there be reserved in every such lease the best rent that can reasonably be obtained for the same having regard to the nature of the covenants entered into by the lessee without any fine or foregift for the making thereof and so as there be contained in every such lease a condition for re-entry by the lessors for non-payment of rent by the lessee within a reasonable time to be therein specified and so as the lessee do execute a counterpart and do thereby covenant for payment of the rent thereby reserved.

*Application of proceeds.*

3. The Corporate Trustees appointed by or under the "Church of England Trust Property Incorporation Act 1881" are hereby appointed to receive from the lessee or lessees the rents payable under any such lease or leases as aforesaid and shall apply the same (after payment thereof of the expenses of and incidental to this Ordinance and the said lease or leases) for all or any of the purposes hereinafter mentioned that is to say in or towards the payment of any expenses which shall be incurred in building a new School or Schools on any part of the said land not included in the said second Schedule and in or towards the repairing improving or making



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additions to such building or buildings and in maintaining a Day and Sunday School to be carried on therein including the payment of a salary or salaries to a teacher or teachers at such times and generally in such way as the said Corporate Trustees may deem advisable.

*Temporary Investment.*

4.—Any part of the said monies arising from any such lease as aforesaid not immediately required to be dealt with and applied as aforesaid shall be deposited in the names of Herbert Skipper of Redfern, Frederick Arnold and George O'Donnell of Sydney Churchwardens or in the names of the Churchwardens or a majority of them for the time being of the said Parish at interest with any Joint Stock Company carrying on the business of Bankers in Sydney and the interest arising from such investment shall be dealt with and applied in the manner prescribed with regard to the proceeds of leasing the said land.

*Short Title.*

This Ordinance may be referred to as the "St. Paul's Sydney School Land Leasing Ordinance."

SCHEDULE—No. 1.

School Land, St. Paul's, Sydney.

All that piece or parcel of land containing by admeasurement two roods be the same more or less situated in the County of Cumberland and Parish of St. Laurence in the City of Sydney at Chippendale commencing at the intersection of George Street with Cleveland Street. and bounded on the South by the building line of Cleveland Street two chains ninety-seven links Easterly; on the East by a line dividing it from part of the Church allotment at right angles to Cleveland Street Northerly one chain eighty links; on the North by a line dividing it from the Parsonage allotment at right angles to the East boundary

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Westerly two chains fifty-eight links to George Street; and on the West by the building line of that Street South-erly one chain eighty-three links to Cleveland Street. aforesaid.

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SCHEDULE—No. 2.

All that parcel of land situated in the Parish of St. Laurence City of Sydney County of Cumberland Colony of New South Wales commencing at the intersection of the North side of Cleveland Street with the East side of Regent Street and bounded on the South by part of the North side of the building-line of Cleveland Street bearing Easterly ninety feet on the East by a line dividing it from the other portion of the School ground bearing Northerly one hundred and eighteen feet nine inches and a half an inch to the South boundary of the grounds of the Parsonage on the North by part of the South boundary of the Parsonage ground bearing Westerly sixty-four feet three inches to Regent Street, and on the North West by part of the South East side of Regent Street, bearing South-Westerly one hundred and twenty-one feet six inches and half an inch to the point of commencement, be the said. several dimensions a little more or less.

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