
St. Andrew's Roseville (Grant of Easement)
Ordinance 1967

No. 41, 1967.

AN ORDINANCE to authorise the grant of a water drainage easement over certain land in Bancroft Avenue Roseville and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered proprietor in fee simple of the land comprised in Certificate of Title Volume 1845 Folio 244 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Parish of St. Andrew Roseville AND WHEREAS the said land at the rear abuts on certain land comprised in Certificate of Title Volume 3104 Folio 236 which with other adjacent land comprised in Certificate of Title Volume 2709 Folio 5 is owned by Church Missionary Society Trust Limited (hereinafter referred to as C.M.S.) AND WHEREAS C.M.S. is negotiating for the sale of its said land for the erection thereon of home units and it is a requirement of the Council of the Municipality of Ku-ring-gai to the granting of approval to the erection of such a building that an easement to drain the rainwater from the roof thereof be obtained through the land described in the Schedule to discharge the said water into Bancroft Avenue AND WHEREAS to facilitate the sale of the C.M.S. land for an adequate price for the purpose aforesaid and for the consideration of \$500 to be paid by C.M.S. or any purchaser from it to the Corporate Trustee the Corporate Trustee has agreed to grant the said easement NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES RULES AND DIRECTS as follows :-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule is held it is inexpedient to carry out and observe the same to the extent hereby modified.

2. The Corporate Trustee is hereby authorised to give and grant a transfer or grant of easement to drain roof and storm water through piped drains through over and along a strip of land three feet wide from the rear boundary of the land described in the Schedule to the Street frontage thereof in such position as it with the approval of the churchwardens of St. Andrew's Church Roseville may determine such easement to be appurtenant to the land comprised in Certificates of Title Volume 3104 Folio 236 and Volume 2709 Folio 5 or any Certificate of Title to be issued in consolidation thereof.

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3. The consideration for the granting of the said easement shall be paid to the churchwardens of the said church to be applied by them as the Parish Council may determine.

4. This Ordinance may be cited as "St. Andrew's Roseville (Grant of Easement) Ordinance 1967".

SCHEDULE

All that piece or parcel of land situated at Roseville in the Municipality of Ku-ring-gai Parish of Gordon County of Cumberland having a frontage of 75 feet to Bancroft Avenue by depth of 175 feet 9½ inches on the south west and 178 feet 7½ inches on the north east being Lot 4 Sec. C D.P. 5035 and part of a one foot reserve on D.P. 2966 and being the whole of the land in Certificate of Title Volume 1845 Folio 244.

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 October, 1967.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

30/10/1967.

Archbishop of Sydney.