

ORDINANCES PASSED BY THE
STANDING COMMITTEE.

APPENDIX No. 49.

ORDINANCE. ST. AUGUSTINE'S, NEUTRAL BAY,
LAND SALE.

(As Passed.)

AN ORDINANCE to authorise the sale of certain land situate in the Wycombe Road Neutral Bay near Sydney in the County of Cumberland.

WHEREAS by virtue of an Indenture of Under Lease bearing date the twenty-fourth day of February in the year One thousand eight hundred and eighty-eight made between Walter Liberty Vernon (thereinafter designated "Lessor") of the one part and William Christopher Bennett George Pearce Baldwin and William Henry Moseley (thereinafter designated "Lessees") of the other part and Registered No. 15 Book 384 certain land situate in the Parish of Willoughby and County of Cumberland of which the land described in the Schedule hereto forms part was demised and leased unto the said Lessees their executors administrators and assigns from the first day of January One thousand eight hundred and eighty-eight for the residue of a term of ninety-nine years created by a certain Indenture of Lease bearing date the second day of October One thousand eight hundred and eighty-four made between John Cooper therein described of the one part and the said Lessor of the other part save and except the last seven days thereof To the intent that the said piece of ground and premises should thenceforth be devoted to Church purposes only in connection with St. Augustine's Church Neutral Bay and the Church of England in New South Wales at a yearly rental of one peppercorn if demanded AND WHEREAS by a certain Indenture (intended to be endorsed on or annexed to the said recited Indenture of Lease dated the twenty-fourth day of February One thousand eight hundred and eighty-eight) bearing date the twenty-first day of August One thousand eight hundred and ninety-three made between the said George Pearce Baldwin and William Henry Moseley (thereinafter designated Assignors)

of the one part and Ernest Augustus Smith Alexander McKnight and Felix Randle (thereinafter designated Assignees) of the other part after reciting that the said William Christopher Bennett died on the twenty-ninth day of September One thousand eight hundred and eighty-nine and that the said George Pearce Baldwin and William Henry Moseley were desirous of resigning the office of Trustee the lands described in the said recited Indenture of Under Lease of the twenty-fourth day of February One thousand eight hundred and eighty-eight were assigned unto the said Assignees their executors administrators and assigns for all the residue then to come and unexpired of the term of years granted by the said Indenture of Under Lease at the rent thereby reserved or subject to the covenants by the Lessees and conditions therein contained and thenceforth to be observed and performed AND WHEREAS the land described in the Schedule hereto is not now required for the purposes to which by the said recited Indenture of Lease it was devoted and it is desirable to sell and dispose of the same 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 rules directs and appoints as follows:—

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

2. The said land may at any time hereafter be absolutely sold and disposed of freed from any trust existing in respect of the same either in one lot or in parcels by public auction or private contract at such price or prices and subject to any stipulations or conditions as to title or evidence or commencement of title or otherwise which the said Trustees may deem proper and with power for the Trustees to buy in at any sale by auction and to rescind or vary any contract for sale and to enter into any new contract for the sale of such land and for any of the purposes aforesaid to execute and do all such deeds assurances and things as the said Trustees shall think fit.

3. Upon any sale or sales made in pursuance of this Ordinance the receipt of the said Trustees for the purchase money shall effectually discharge the purchaser or purchasers from being concerned to see to the application thereof or being answerable for the loss or misapplication thereof.

4. For the purposes of this Ordinance the word "Trustees" whenever the same occurs shall be taken to mean the said Ernest Augustus Smith or other the Trustee or Trustees for the time being of the land described in the Schedule hereto.

5. This Ordinance shall be styled and cited as the "St. Augustine's Church Neutral Bay Land Sale Ordinance of 1918."

THE SCHEDULE REFERRED TO.

All that piece or parcel of land situate in the Parish of Willoughby County of Cumberland and State of New South Wales commencing at the junction of Wycombe Road and Shell Cove Road and bounded on the West by Wycombe Road bearing Southerly 149 feet 10 inches and 40 feet on the South by land of the Lessor bearing North-easterly 96 feet and on the North-east by Shell Cove Road bearing North-westerly 173 feet to the point of commencement (save and except so much as has been reserved by the Government for Tramway purposes).

I certify that this Ordinance, as here amended, was passed by the Standing Committee on the twenty-fourth day of November, 1919.

JOHN CHARLES SYDNEY,

President.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

28th November, 1919.