

No. 27, 1954.

AN ORDINANCE to authorise the sale of certain land at Pitt Owen Avenue Arncliffe and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the said Trust) is the registered proprietor of the lands described in the first and second Schedules hereto AND WHEREAS the land described in the first and second Schedules hereto is Church Trust Property and is held upon trust for the sole benefit of St. David's Arncliffe but no trusts in writing have been declared concerning the same and it is expedient to vary such trust AND WHEREAS it is expedient to declare such trusts AND WHEREAS the land in the third schedule forms part of the land described in the first and second schedules AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the land described in the third schedule it has become expedient to sell the same Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains and declares as follows:—

1. This Ordinance may be cited as "St. David's Arncliffe Sale Ordinance 1954 "

2. The land described in the first and second Schedules shall henceforth be held upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of St. David's Arncliffe.

3. That by reason of circumstances subsequent to the creation of the trusts of the land described in the third schedule hereto it is expedient to sell the same.

4. The said land may be sold by the said Trust either by public auction or private contract together or in lots for cash or on credit and at such price or prices and upon such terms and conditions as the said Trust may determine with power to vary or rescind any contract for sale.

5. The purchase money to arise from any sale or sales of the said land or any part or parts thereof shall be paid to the said Trust and so much thereof as shall be required for such purposes shall be applied by the said Trust in the payment of all outgoing properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and of and incidental to the subdivision and any sale or sales of the said land or any part or parts thereof and the balance of the said purchase money shall be held by the said Trust upon trust to use the same in and towards the building of a Parish Hall for St. David's Arncliffe.

6. Pending such application as aforesaid the net proceeds arising from any such sale or sales may be invested in accordance with the provisions of the "Investment of Church Trust Property Ordinance 1944" and the income from such investments shall be accumulated and held upon the same trusts as hereinbefore declared in respect of the capital.

FIRST SCHEDULE.

All that parcel of land situate in the Municipality of Rockdale Parish of St. George County of Cumberland being Lots 6 and 7 of Section 2 on Deposited Plan 1123 and being the whole of the land in Certificate of Title Volume 3437 Folio 176.

SECOND SCHEDULE

All that parcel of land situate in the Municipality of Rockdale parish of St. George County of Cumberland being Lot 5 of Section 2 on Deposited Plan 1123 and being the whole of the land in Certificate of Title Volume 3004 Folio 119.

THIRD SCHEDULE.

All that parcel of land situate in the Municipality of Rockdale parish of St. George County of Cumberland being Lot B on plan of sub-division covered by Town Clerk's Certificate No. 62 of 1954 and being part of the land in Certificates of Title Volume 3437 Folio 176 Volume 3004 Folio 119.

St. David's Arncliffe Sale Ordinance 1954.

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

ARTHUR L. WADE,
Deputy 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 August, 1954.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop, Commissary,
Archbishop of Sydney.

1/9/1954