
St. James' Hazelbrook Sale Ordinance 1957.

No. 3, 1957.

AN ORDINANCE to authorise the sale and dedication of certain land situate in Addington Road and Glendarrah Street, Hazelbrook and to provide for the application of the proceeds of the said sale.

WHEREAS Church of England Property Trust Diocese of Sydney (herein referred to as "the Corporate Trustee") is seized in fee simple of the land described in the first and second schedules hereto AND WHEREAS no trusts of the said land have been declared in writing AND WHEREAS the land in the first schedule hereto is Church Trust Property and is held for the sole benefit of the Parish of Lawson with Hazelbrook cum Woodford and Linden AND WHEREAS The Archbishop in Council has consented to the execution of a Declaration of Trust in respect to the land in the second schedule hereto in the terms hereinafter set forth AND WHEREAS it is expedient to vary the trusts upon which the land in the said schedules is held as hereinafter set out AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said land it has become inexpedient to carry out and observe such trusts and it is expedient to sell the land in the first schedule hereto and to deal with the proceeds in manner hereinafter contained and to dedicate certain of the land in the second schedule hereto as more particularly described in the third schedule hereto Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:--

1. By reason of circumstances subsequent to the creation of the trusts to which the land described in the first schedule hereto is subject it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

2. The said land in the first schedule hereto may be sold by Public Auction or Private Contract at such time or times and for such sum or sums and upon such conditions as the said Corporate Trustee may deem expedient free from the trusts as aforesaid.

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3. The moneys arising from the said sale or sales after deduction thereout of all rates and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this ordinance and the said sale and transfer of the said land in pursuance thereof shall be held Upon Trust to be paid to the Churchwardens for the time being of St. James' Hazelbrook to be applied and used firstly in or towards the erection of a church or parish hall or partly for one or the other of such purposes in connection with the Church of St. James' Hazelbrook upon other land more particularly described in the second schedule hereto and secondly any remainder shall be applied in or towards such other capital expenditure within the said parish as may be determined from time to time by the said Standing Committee.

4. Pending such application the said proceeds may be invested by the Corporate Trustee in accordance with the provisions of the "Investment of Church Trust Property Ordinance 1944" or any Ordinance amending or taking the place of the same and the net income arising from such investment shall be added to the said capital sum and may be invested from time to time as aforesaid and shall follow the destination of the capital.

5. By reason of circumstances subsequent to the creation of the trusts upon which the land described in the second schedule hereto is held it is expedient to dedicate that portion of the said land as is more particularly described in the third schedule hereto to the Council of the City of Blue Mountains for road widening purposes provided that all expenses connected with such dedication shall be paid by the said Council and such dedication is hereby authorised.

6. The land in the second schedule hereto excluding the land described in the Third Schedule hereto, shall be held Upon Trust to permit the same to be used as and 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 at St. James' Hazelbrook in the Parish of Lawson Hazelbrook cum Woodford ad Linden.

7. This Ordinance may be cited as the "St. James', Hazelbrook Sale Ordinance, 1957."

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THE FIRST SCHEDULE.

All that piece or parcel of land situate at Hazelbrook in the County of Cook Parish of Linden having a frontage to Addington Road Hazelbrook of 132' by a depth therefrom of 198' being lots 17 and 18 of Section C Deposited Plan No. 2246 and being the whole of the land comprised in Certificates of Title Volume 1352 Folio 178 and Volume 2594 Folio 73.

THE SECOND SCHEDULE.

All that piece or parcel of land situate at Hazelbrook in the County of Cook Parish of Woodford having a frontage to Glendarrah Street of 122' by a depth therefrom of 241' 7" being Lot A on plan annexed to Transfer No. D86731 and Lot 1 on plan annexed to Transfer No. D144139 and being the whole of the land comprised in Certificates of Title Volume 5303 Folio 177 and Volume 5342 Folio 115.

THE THIRD SCHEDULE.

All that piece or parcel of land situate at Hazelbrook in the County of Cook Parish of Woodford having a frontage to Glendarrah Street of 20' by a depth therefrom along Rosedale Avenue of 241' 7" being part of Lot A in plan annexed to Transfer No. D86731 and being part of the land comprised in Certificate of Title Volume 5303 Folio 177.

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

H. GORDON S. BEGBIE,
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 4th day of March, One thousand nine hundred and fifty seven.

W. L. J. HUTCHISON
Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

4/3/1957.