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*St. James' Luddenham Land Sale Ordinance 1949.*

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No. 8, 1949.

AN ORDINANCE to direct the sale of certain land situated in the village of Luddenham in the Parish of St. Thomas' Mulgoa and St. James' Luddenham and to provide for the application of the proceeds of sale.

WHEREAS by Indenture of Conveyance made the first day of January 1873 Registered No. 36, Book 135, between Sir Charles Nicholson Baronet of the one part and the Bishop of Sydney of the other part the said Sir Charles Nicholson conveyed the lands firstly and secondly described therein to the Bishop of Sydney and his successors upon trust to permit part of the land firstly described therein to be used as a site for the erection of a Church as therein mentioned and upon trust to permit the land secondly described therein to be used as a Glebe in connection with the said Church and for the erection of a dwelling house for the Minister for the time being licensed or otherwise authorised to officiate in the Church erected or to be erected as aforesaid.

AND WHEREAS the Church of St. James' Luddenham is erected on part of the land firstly described in the said Conveyance.

AND WHEREAS it is expedient to sell the land described in the Schedule being part of the land secondly described in the said Conveyance and to provide for the application of the purchase money in the manner hereinafter mentioned.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains directs and declares as follows:—

1. By reason of circumstances subsequent to the creation of the trusts to which the land described in the Schedule hereto is now subject:—

- (a) it has become inexpedient to carry out and observe such trusts insofar as the same are varied by this Ordinance; and
- (b) it appears expedient to sell such land and to apply the money arising from the sale for the purposes set out in this Ordinance.

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2. The land described in the Schedule hereto may be sold by private contract to the Council of the Municipality of Penrith for the sum of £100.

3. The purchase money arising from such sale shall be applied in payment of:—

- (a) all rates and taxes if any due on the land described in the said Conveyance; and
- (b) all costs charges and expenses of and incidental to this Ordinance and the said sale;

and the balance shall be paid to the Rector and Churchwardens of the Parish of St. Thomas' Mulgoa and St. James' Luddenham to be held by them on trust to apply from time to time in their discretion the whole or any part of the capital or income thereof in the maintenance and repair of the Church of St. James' Luddenham.

4. This Ordinance shall be cited as the "St. James' Luddenham Land Sale Ordinance 1949."

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THE SCHEDULE.

All that parcel of land containing 8 acres 0 roods 32 perches more or less commencing at a point on the southern boundary of the Luddenham Estate distant about 16 chains westerly from the point of intersection of that boundary with the south-western side of the Bringelly Road and bounded on the south by a line bearing West 10 chains on the West by a line bearing North 8 chains and 20 links on the North by a line bearing East 10 chains and on the East by a line bearing South 8 chains and 20 links to the point of commencement be the said several dimensions all more or less.

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

ARTHUR L. WADE.

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 26th day of September, 1949.

H. V. ARCHINAL.

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

28th September, 1949.