
*St. John's Camden Land Sale Leasing and Variation
of Trust Ordinance 1966*

No. 28, 1966.

AN ORDINANCE to authorise the sale, leasing and variation of the trusts of certain land at Camden in the Municipality of Camden to provide for the application of the proceeds and for purposes incidental thereto,

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 2734 Folio 3 of which the land described in the first part of the Schedule hereto forms part AND WHEREAS by Declaration of Trust dated 18th September 1911 the Corporate Trustee declared that it held the land comprised in the said Certificate of Title upon trust for the appropriation thereof as a Glebe annexed to the Church of St. John at Camden subject to the Regulations (so far as the same may be applicable) contained in The Sydney Church Ordinance or any other Ordinance to be passed by the Synod of the Diocese of Sydney altering or modifying such Ordinance AND WHEREAS the Corporate Trustee is also registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 4302 Folio 72 more particularly described in the second part of the said Schedule AND WHEREAS by Declaration of Trust dated 13th September 1929 the Corporate Trustee declared that it held such land 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 Camden AND WHEREAS the Corporate Trustee is also registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 4640 Folio 223 of which the land described in the Third Part of the said Schedule forms part AND WHEREAS by Declaration of Trust dated 4th January 1906 the Corporate Trustee declared inter alia that it held such land upon trust to allow the same to be used and occupied at all times as a Rectory or Residence for the Rector or Incumbent for the time being of St. John's Church of England Camden AND WHEREAS by reason of the increasing ratable value of the land described in the first and second parts of the Schedule all of which is vacant and unimproved and of the high rates now payable thereon it is not economic to retain the same but it is expedient to sell or lease the same for a long term and invest the net proceeds of any such sale to better advantage AND WHEREAS it is proposed to develop sub-divide and sell such land or lease the

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same for a long term AND WHEREAS in order to obtain access to Menangle Road it is necessary and expedient to sell or lease a small strip on part of the southern boundary of the Rectory land as more particularly described in the Third Part of the Schedule NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the several trusts upon which the lands described in the Schedule hereto are held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold or leased for a long term and that the several trusts of the said lands or the proceeds of the sale thereof be varied in the manner hereinafter provided.

2. The Corporate Trustee is hereby authorised and empowered to sub-divide develop and sell or lease the said land freed from the trusts upon which it is now held at such time or times at such price or prices by public auction or private contract and upon such terms and conditions as it may think fit and to construct all such necessary roads, footways, kerbing and guttering and grant or reserve such easements and pay any sums as may be necessary to provide water or other services as may be required by any authority as a condition of approving of such sub-division.

3. The proceeds arising from the sale or sales of any of the land comprised in the first part of the Schedule hereto shall after paying thereout a proper proportion of the costs of and incidental to this Ordinance and the transfer or transfers of the land in pursuance thereof and the rates charges and outgoings to which it may be subject be applied first in payment of the costs of and incidental to the sub-division construction of roads, footpaths and the like (or the repayment of any moneys previously advanced for such purposes) and the balance shall be invested by the Corporate Trustee and the income arising therefrom together with all net rents, income and profits which may arise from the letting or leasing of the said land or any part thereof shall be held for the Incumbent for the time being of St. John's Church, Camden, on account of the stipend and vehicular or other allowance payable to him PROVIDED HOWEVER should the said income rents and profits from time to time calculated upon an annual basis exceed the aggregate amount of the said stipend and allowances (the said stipend and allowances

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being at least the minimum amounts recommended from time to time by resolution of Synod) then and in such circumstances the excess of such income, rents and profits shall be held upon like trusts as are hereinafter provided in respect of the land in the Second and Third Parts of the Schedule hereto.

4. The proceeds arising from the sale or sales of any of the land comprised in the Second and Third Parts of the Schedule hereto shall after paying thereout a proper proportion of the costs of and incidental to this Ordinance and the transfer or transfers of the land in pursuance thereof and the rates, charges and outgoings to which it may be subject be applied first in payment of the costs of and incidental to the sub-division construction of roads, footways and the like (or the repayment of any moneys previously advanced for such purposes) and the balance shall be invested by the Corporate Trustee and the income arising therefrom together with all net rents and profits which may arise from the letting or leasing of the said land or any part thereof shall be held for the Church Wardens of St. John's Church, Camden, to be applied by them for general parochial purposes in the Parish of St. John, Camden.

5. This Ordinance may be cited as "St. John's Camden Land Sale Leasing and Variation of Trust Ordinance 1966."

SCHEDULE

FIRST PART

ALL THAT piece or parcel of land situated at Camden in the Municipality of Camden, Parish of Camden County of Camden containing an area of 12 acres 3 roods 2 perches or thereabouts being Lot 1 D.P. 5895 and part of the land in Certificate of Title Volume 2734 Folio 3.

SECOND PART

ALL THAT piece or parcel of land situated as aforesaid containing an area of 7 acres 2 roods 16 $\frac{1}{2}$ perches or thereabouts being part of Lot 2 D.P. 5895 and being the whole of the land in Certificate of Title Volume 4302 Folio 72.

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THIRD PART

ALL THAT piece or parcel of land situated as aforesaid comprising a strip approximately 75 feet wide along and within part of the southern boundary of the Rectory land for a distance of about 177 feet from Menangle Road and thereafter increasing in width to about 131 feet for the remainder of such southern boundary and being part of the land comprised in Certificate of Title Volume 4640 Folio 223.

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

H. G. 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 on the 24th day of October, 1966.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

23/11/1966.