
ST. JOHN'S ROCKDALE TRANSFER (ADDITIONAL LAND) ORDINANCE 1987

NO. 5, 1987

AN ORDINANCE to authorise the transfer of a strip of land adjacent to the boundary of property of the Church of St. John Rockdale.

WHEREAS:

A. Pursuant to the St. John Rockdale Sale Ordinance 1979, the land comprised in Certificate of Title Volume 8044 Folio 68, together with improvements thereon, was sold and transferred to the Council of the Municipality of Rockdale (which said land is herein referred to as "the land originally sold").

B. Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of land being church trust property which is adjacent to the land originally sold and upon which said land is constructed a church building, which said land (hereinafter called "the adjacent land") is the whole of the land comprised in Certificate of Title Volume 1211 Folio 57.

C. The adjacent land is held upon trust for the purposes of a church parsonage or parish hall or partly for one or partly for another of such purposes such trusts having been declared in the "St. John's Rockdale Mortgaging Ordinance 1938".

D. The said Council has informed the Corporate Trustee that certain buildings constructed upon the land originally sold encroach as to part upon the adjacent land.

E. The Corporate Trustee at the request of the said Council has agreed subject to the terms of this Ordinance that part of the adjacent land shall be transferred to the said Council which said part of the adjacent land is shown as the area hatched in the sketch plan annexed to this Ordinance and marked with the letter "A" (hereinafter called "the subject land").

F. It is inexpedient to carry out and observe the trusts with respect to the subject land and it is expedient that the subject land be transferred upon the terms and conditions herein set forth.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows.

1. By reason of the circumstances which have arisen subject to the creation of the trusts upon which the subject land is held it is inexpedient to carry out and observe the same and it is expedient that the subject land be transferred.

2. The Corporate Trustee is hereby empowered to transfer the subject land by private contract to the said Council at such time and upon such conditions as are set forth herein and otherwise upon such other terms and conditions as it shall think fit freed from the trusts upon which such land is now held.

3. The transfer of the subject land will be made without consideration but the said Council has agreed:

- (a) to pay all costs incurred by the Corporate Trustee of and incidental to the transfer and this Ordinance;
- (b) to construct certain fencing works on the new boundary between the subject land and the residue of the adjacent land;
- (c) to enter a restrictive covenant whereby no building, construction, fixture, structure or fixture of any kind shall be erected, constructed or built or shall be permitted to remain or be maintained, erected, constructed or built on the subject land save and except that the terms hereof shall not apply to the brick building, Nursing Service Store and any other building, construction, fixture or structures which at the date hereof are constructed upon the subject land; and
- (d) to grant a licence to the Corporate Trustee for the non-exclusive right to go, pass and repass at all times and for all purposes with or without vehicles over part of the land originally sold and the subject land pursuant to various terms and conditions which have been agreed upon between the Corporate Trustee and the said Council.

4. This Ordinance may be cited as "St. John's Rockdale Transfer (Additional Land) Ordinance 1987".

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of April 1987.

W.G.S. GOTLEY
Secretary.

I ASSENT to this Ordinance.

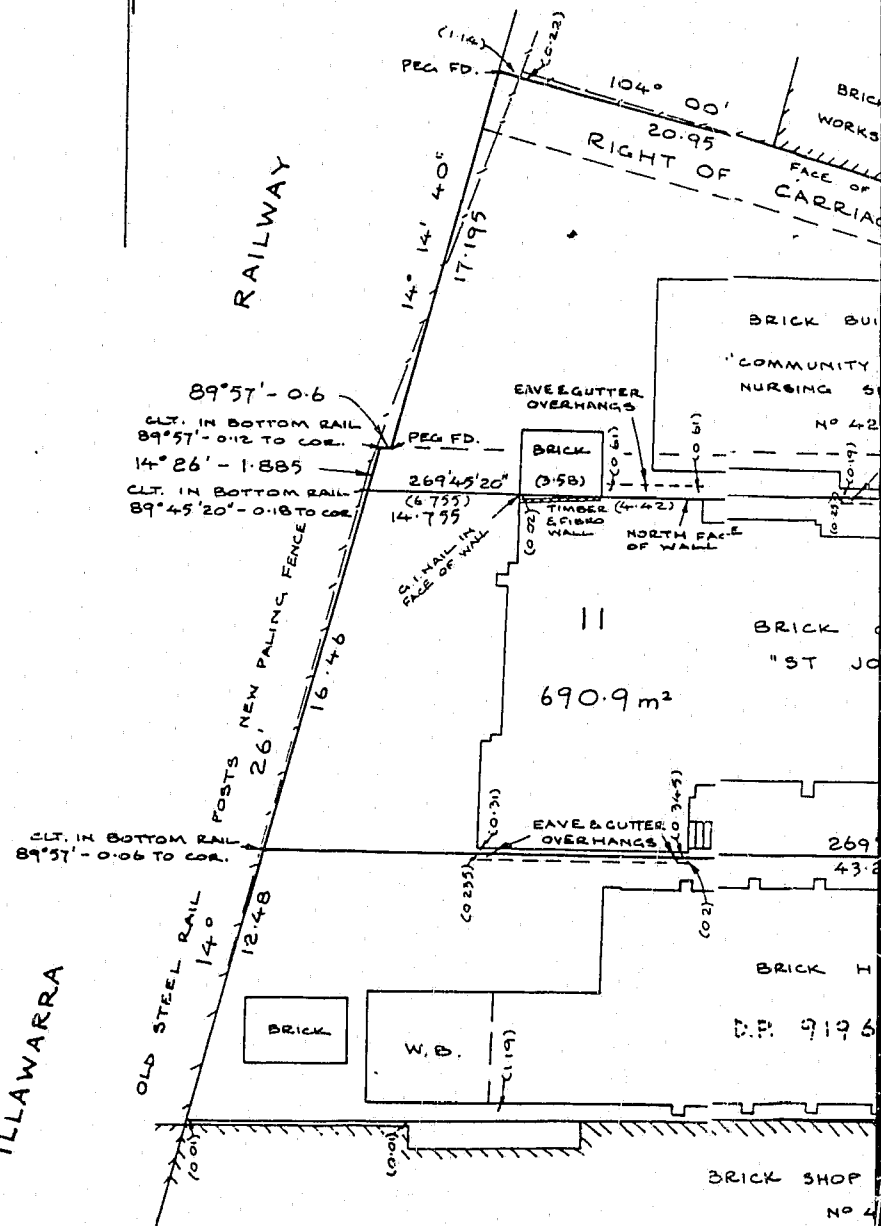
JOHN R. REID
Commissary for the Archbishop of Sydney.
27/4/1987

natures and seals only.

M M

ILLAWARRA

RAILWAY



Council Clerk's Certificate

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of section 34B of the Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, (Hunter District Water, Sewerage, and Drainage Act, 1928, as amended)

have been complied with by the applicant in relation to the proposed "new road", "subdivision" or "consolidated lot" set out herein

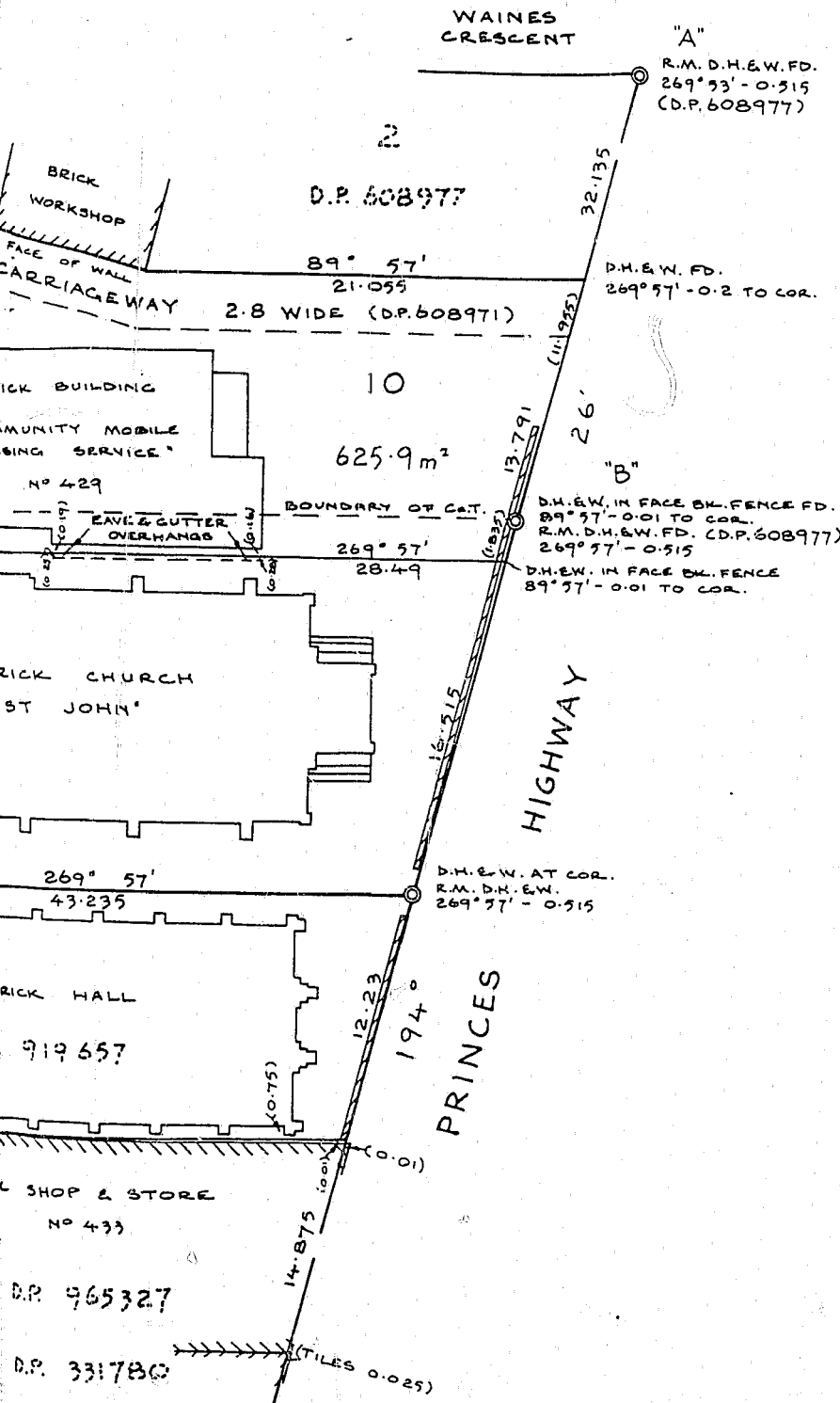
Division No.

(Signature)

Council Clerk

This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land is situated wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board if inapplicable.

ANNEXURE A



Registered:
 C.A.
 Title System:
 Purpose:
 Ref Map:
 Last Plan:

PLAN OF SUBDIVISION OF
 LOT 1 IN D.P. 608977 &
 LOT 1 IN D.P. 984 BT5

Reduction Ratio 1: 200
 Lengths are in metres

Mun. Shire: ROCKDALE
 Locality: ROCKDALE
 Parish: ST. GEORGE
 County: CUMBERLAND

This is sheet 1 of my plan (Delete if inapplicable).

JOHN DUDLEY BALD
 of 534 PRINCES HWY, ROCKDALE
 a surveyor registered under the Surveyors Act, 1929,
 do hereby certify that the survey represented in
 this plan was made by me or under my direct supervision
 and is accurate and has been made in accordance with the Surveyors
 Regulations, 1933, and was completed on the
 15TH AUGUST 1986

Signature: *[Signature]*
 Surveyor registered under Surveyors Act, 1929 as shown
 Datum Line of Azimuth, "A" or "B"
 Strike out either (1) or (2). Insert date of sun

Panel for use only for statements of intention
 to dedicate public roads or to create public res-
 serves, drainage reserves, easements or restriction
 as to user.

[Handwritten Signature]