
St. Luke's, Clovelly, Sale.

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AN ORDINANCE to authorise the sale of land situate at Clovelly and more particularly described in the Schedule hereto and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS the whole of the land comprised in Certificates of Title under the provisions of the Real Property Act 1900 dated the fifth day of September One thousand eight hundred and eighty-one Registered Volume 544 Folio 56 the fifteenth day of September One thousand eight hundred and eighty-one Registered Volume 544 Folio 221 and the fourth day of September One thousand eight hundred and eighty-three Registered Volume 661 Folio 146 situate at Clovelly Parish of Alexandria County of Cumberland and more particularly described in the Schedule hereto became vested in William Greenwood and Samson Henry Hain AND WHEREAS the said William Greenwood and Samson Henry Hain subsequently transferred the said land to William Stone Holesgrove Edwin George Smallwood Price Eugene Lewis and Alfred John Brand King and in such transfer it was acknowledged that the said land was transferred to them upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one or partly for another of such purposes in connection with the Church of England in the Parish of Clovelly AND WHEREAS the said land was originally purchased as a site for a Church but such site is no longer suitable AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it is expedient to sell the land described in the Schedule hereto Now the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Trust Property Act 1917" or otherwise ordains directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said recited Trusts it is expedient to sell the land described in the Schedule hereto.

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2. The land described in the Schedule hereon may be sold by public auction or by private contract either in one lot or several lots at such time or times at such price or prices and upon such terms and conditions as the said William Stone Holesgrove Edwin George Smallwood Price Eugene Lewis and Alfred John Brand King (hereinafter designated "the said Trustees") or other the Trustees for the time being of the said land may deem expedient freed from such Trusts as aforesaid.

3. The purchase money arising from the said sale or sales in respect of the said land shall be paid to and held by the said Trustees after payment thereof of the costs charges and expenses of and incidental to this Ordinance and the said sale or sales and the transfer of the said land in pursuance thereof and shall be applied

- (a) In the purchase of other land upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one or partly for another of such purposes in connection with the Church of England in the District of Clovelly.
- (b) In or towards the erection of a Church Parsonage or Parish Hall on other land which shall for the time being be held on similar trusts or partly for one of such purposes and partly for another of such purposes provided that such application shall not be made without the consent of the Archbishop in Council.

4. The proceeds of sale or any part or parts thereof may from time to time until otherwise determined by the Synod be invested in any stocks funds or securities of or guaranteed by the Government of the Commonwealth of Australia or of or guaranteed by the Government of any of the States thereof or of the Dominion of New Zealand or on mortgage of real estate in New South Wales with power from time to time to vary any such investments for any other or others of them.

5. This Ordinance shall be styled and cited as the "Saint Luke's Clovelly Sale Ordinance of 1921."

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THE SCHEDULE REFERRED TO.

One rood six and one-half perches of land situate in the Parish of Alexandria County of Cumberland Municipality of Randwick and being the whole of the land comprised in Certificate of Title under the provisions of the Real Property Act dated the fifth day of September One thousand eight hundred and eighty-one Registered Volume 544 Folio 56 and being lots 23 and 24 as per Deposited Plan Number 537.

Thirty-six and one-half perches situate as aforesaid and being the whole of the land comprised in Certificate of Title under the provisions of the Real Property Act 1900 dated the fifteenth day of September One thousand eight hundred and eighty-one Registered Volume 544 Folio 221 and being lots 21 and 22 as per Deposited Plan Number 537.

One rood and half a perch situate as aforesaid being the whole of the land comprised in Certificate of Title under the provisions of the Real Property Act 1900 dated the fourth day of September One thousand eight hundred and eighty-three Registered Volume 664 Folio 146 and being lots 19 and 20 as per Deposited Plan Number 537.

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

E. W. MOLESWORTH,
Chairman.

We certify that this Ordinance was passed this twenty-fourth day of November, 1921.

E. CLAYDON } *Secretaries*
W. R. BEAVER } *of the Synod.*

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

12th December, 1921.