
St. Luke's Mosman Land Sale Ordinance, 1969

No. 18, 1969

AN ORDINANCE to authorise the sale of certain land situated at No. 78 Spit Road, Mosman and to provide for the application of the proceeds.

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 2788 Folio 176 (hereinafter called "the land") AND WHEREAS the Department of Main Roads of the State of New South Wales is desirous of acquiring for road widening purposes that part of the land which is more particularly described in the Schedule hereto (hereinafter called "the parcel") AND WHEREAS the said land together with the premises erected thereon was purchased on the 30th day of June, 1961 for use as a clergy cottage in the Parish of St. Luke Mosman but no trusts in writing have been declared concerning the same AND WHEREAS until recently the parcel has formed portion of the front garden or curtilage of the said clergy cottage AND WHEREAS by reason of circumstances which have arisen subsequent to the acquisition of the land namely the widening by the said Department of Main Roads of the road to which the land has frontage it is inexpedient and impossible for the parcel to be used and enjoyed as portion of the front garden or curtilage of the said clergy cottage NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held, it is inexpedient and impossible to carry out and observe the same and it is therefore necessary and expedient that such parcel be sold to the Department of Main Roads.

2. The Corporate Trustee is hereby authorised to sell the parcel by private contract at such time and at such price and upon such conditions as it may think fit freed from all Trusts upon which the parcel has hitherto been held.

3. The proceeds arising from the said sale shall after paying therefrom the costs charges and expenses of and incidental to this Ordinance and to the sale and transfer of the said land pursuant thereto be paid to the Churchwardens for the time being of St. Luke's Church at Músmán and applied by them as a contribution to the "Parish Centre Building Fund" of the said Parish for future use in

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the erection of a new Parish Centre and that pending the erection of the said Parish-Centre the said Churchwardens may invest the said proceeds in any investment from time to time authorised by the Investment of Church Trust Property Ordinance 1944 as amended.

4. This Ordinance may be cited as "St. Luke's Mosman Land Sale Ordinance, 1969".

SCHEDULE

All that piece or parcel of land situated at Mosman in the Municipality of Mosman, Parish of Willoughby and County of Cumberland having a frontage of about 26' 6" to Spit Road, Spit Junction and having depths on both sides of about 10' 1½" to a rear line of about 28' 5½" containing threequarters of a perch or thereabouts and being Lot 7 in Deposited Plan 232009 and part of the land in Certificate of Title Volume 2788 Folio 176.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of June, 1969.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

30/6/1969.