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*St. Peter's Richmond Land Sale Ordinance 1965*

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No. 16, 1965.

AN ORDINANCE to authorise the sale of certain land at Richmond in the Municipality of Windsor and to provide for the application of the proceeds thereof.

WHEREAS by Crown Grant dated 17th May 1852 under the hand of Sir Charles Augustus Fitz Roy Governor of the State of New South Wales and enrolled in the office of the Registry of Deeds Supreme Court Sydney in the Register of Grants to the United Church of England and Ireland No. 3 Page 18 and in the Register of such grants by the Colonial Secretary and Registrar as No. 66 Page 47 All that piece or parcel of land containing 13 acres 2 roods more particularly described in the First Schedule hereto was granted unto the Reverend Henry Tarlton Stiles Thomas Bell and William Bowman being the Trustees nominated and appointed under the Act passed in the eighth year of His late Majesty King William IV entitled "An Act to regulate the Temporal Affairs of Church and Chapels of the United Church of England and Ireland in New South Wales" upon trust for the appropriation thereof as a site of a dwelling house garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland as by law established at Richmond AND WHEREAS by Deed Poll or Deed of Consent dated the 8th day of May, 1950 under the hand and seal of the Most Reverend Howard West Kilvinton Mowll Archbishop of Sydney and Primate of Australia the said Archbishop did pursuant to Section 19 of the Church of England Trust Property Act 1917 consent to the vesting in Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) of (inter alia) the land contained in the said recited Crown Grant or so much thereof as had not then been resumed or conveyed AND WHEREAS by virtue of the said Consent and the provisions of the said Section 19 the land is now vested in the Corporate Trustee AND WHEREAS the land described in the first and second parts of the Second Schedule hereto forms part of the land comprised in the said Crown Grant AND WHEREAS by reason of the rates assessed on the said land and the unproductive nature thereof and other circumstances which have arisen subsequent to the creation of the trusts upon which that portion of land described in the Second Schedule is held it is inexpedient to carry out and observe the same and is proposed to sell the said land and apply the proceeds as hereinafter set out 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:-

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1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered and authorised to sell the land described in the Second Schedule hereto by public auction or private contract together or in parcels at such time or times at such price or prices and upon such terms and conditions as it shall think fit freed from the trusts upon which it is now held and to subdivide the said land and grant or reserve such easements as may be necessary in connection therewith in such manner as the Corporate Trustee may deem expedient.

3. The proceeds arising from the said sale or sales shall after paying thereout all outgoings to which the land may be subject and the costs and expenses of and incidental to this Ordinance and of the subdivision and sales and conveyances in pursuance thereof be invested by the Corporate Trustee in accordance with the provisions of the Investment of Church Trust Property Investment Ordinance 1944 as amended and the net income arising therefrom shall be applied as follows:-

- (i) As to ninety-five per centum towards the payment of such rates as may be assessed from time to time on the remainder of the lands held for the Parish of St. Peter Richmond and the balance shall be paid to the Churchwardens of St. Peter's Church Richmond to be paid by them into a special account for the repair and maintenance of the Rectory Church and Hall in the said Parish.
- (ii) The balance to be accumulated and added to the capital from time to time and re-invested and the resulting income applied in the same manner as that hereinbefore provided in respect of the original net proceeds of sale.

4. This Ordinance may be cited as "St. Peter's Richmond Land Sale Ordinance 1965."

### FIRST SCHEDULE

All that piece or parcel of land situated in the County of Cumberland and Parish of Ham Common Town of Richmond containing by admeasurement Thirteen Acres and Two Roods bounded south easterly partly by a line commencing at a post

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dividing it from Chapel Street bearing North twenty degrees East twelve chains sixty seven links; North Easterly partly by a line West twenty degrees thirty minutes North dividing it from Windsor Street four chains twelve links; North Westerly partly by a line South twenty degrees thirty minutes West two chains fifty links; again North Easterly by a line West twenty degrees thirty minutes North two chains fifty links again South Easterly by a line North twenty degrees thirty minutes East two chains fifty links; again North Easterly by a line dividing it from Windsor Street West twenty degrees thirty minutes North eight chains and eighty five links; again North Westerly by a line South forty two and a half degrees West six chains ninety seven links and South Westerly by a line South forty eight and a half degrees East nineteen chains twenty links to the post aforementioned (Advertised as Number three in the Government Notice dated 9th March 1852).

SECOND SCHEDULE

FIRST PART

All that piece or parcel of land situate in the Town of Richmond, Parish of Ham Common, County of Cumberland and State of New South Wales, being part of the land comprised in Crown Grant dated 17th May, 1852 entered in the Register of Grants to the United Church of England and Ireland No. 66 Page 47.

Commencing at a point on the north western side of Chapel Street bearing and distant 199 degrees 57 minutes 227.27 links from the intersection of that side of that Street with the south western side of Windsor Street and bounded thence on the south east by part of the north western side of Chapel Street aforesaid bearing 199 degrees 57 minutes 542.23 links to the intersection of that side of that Street with the north eastern side of Kurrajong Road, thence on the south west by part of that side of that Road bearing 290 degrees 12 minutes 227.27 links, thence on the north west by a line bearing 19 degrees 57 minutes 543.42 links, thence on the north east by a line bearing 110 degrees 30 minutes 227.27 links to the point of commencement; having an area of 1 acre 0 roods 37 perches or thereabouts.

SECOND PART

All that piece or parcel of land situate in the Town of Richmond, Parish of Ham Common, County of Cumberland and

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State of New South Wales, being part of the land comprised in Crown Grant dated 17th May, 1852 entered in the Register of Grants to the United Church of England and Ireland No. 66 Page 47.

Commencing at the intersection of the south western side of Kurrajong Road with the north western side of Chapel Street and bounded thence on the south east by part of that side of that Street bearing 199 degrees 57 minutes 352.5 links to the south eastern corner of the land comprised in Crown Grant dated 17th May, 1852, aforesaid, thence on the south west by part of that boundary of that Crown Grant bearing 310 degrees 35 minutes 1012 links to the south western side of Kurrajong Road aforesaid thence on the north east by part of that side of that Road bearing 110 degrees 12 minutes 947.1 links to the point of commencement; having an area of 1 acre 2 roods 27 perches or thereabouts.

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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 28th day of June, 1965.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

28/6/1965.

HUGH SYDNEY,  
Archbishop of Sydney.