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*St. Peter's Richmond Sale Ordinance 1950*

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No. 25, 1950.

AN ORDINANCE to authorise the sale of certain land fronting Penrith Road Little Richmond County of Cumberland and Parish of Ham Common and to provide for the application of the proceeds thereof.

WHEREAS Llewellyn Calvert Pearce (in his will hereinafter recited called Llewellyn C. Pearce) by his Will dated the fourteenth day of April 1948 thereby appointed the said John Thomas George Hadfield (in the said Will called Jack Hadfield) executor thereof and did inter alia give devise and bequeath unto the Trustees of St. Peter's Church of England at Richmond the brick cottage and the two acres on which it stands at Little Richmond with a proviso that it be not sold transferred let or leased in any manner whatsoever to any person or persons of foreign nationality or their descendants. AND WHEREAS the said Llewellyn Calvert Pearce died on the twenty eighth day of June 1948. AND WHEREAS Probate of the Will of the said Llewellyn Calvert Pearce was on the Twentieth day of January 1949 granted by the Supreme Court of New South Wales in its Probate Jurisdiction to the said John Thomas George Hadfield. AND WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter referred to as the "Corporate Trustees") is the Trustee of St. Peter's Church of England at Richmond. AND WHEREAS by Deed dated the nineteenth day of May 1950 Registered No. 762 Book 2134 made between the said John Thomas George Hadfield of the one part and the Corporate Trustees of the other part the said John Thomas George Hadfield as executor of the said Will did inter alia convey to the Corporate Trustees in fee simple all that the property described in the said Will as the brick cottage and two acres on which it stands at Little Richmond and being the land more particularly described in the schedule hereto and the said Deed further witnesseth that the said Corporate Trustees did thereby declare that it held the said land subject to the said proviso upon trust for the sole benefit of the said Parish of St. Peter's Church of England at Richmond. AND WHEREAS by reason of circumstances subsequent to the creation of the before mentioned trusts it is expedient to sell the said land and to deal with the proceeds in manner hereinafter contained. Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

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1. By reason of circumstances subject to the creation of the said Trusts it is expedient to sell the said land.

2. The said Corporate Trustees may from time to time sell the said land or any portion or portions thereof by public auction or private contract and either in one lot or any several lots at such price or prices and upon such terms and conditions as the Corporate Trustees may deem expedient free from such trusts as aforesaid.

3. The said Corporate Trustees are hereby authorised and empowered to execute the deed or deeds or other instrument or instruments and do all acts measures and things necessary for the purpose of carrying into effect any sale or sales or other dealing matter or thing authorised by this Ordinance.

4. The proceeds of any such sale or sales shall stand charged with the payment of all outgoings properly chargeable against the said land and all costs charges or expenses of and incidental to this Ordinance and the said sale or sales and subject thereto the balance shall be paid to the Churchwardens for the time being of St. Peter's Church of England at Richmond whose receipt shall be a sufficient discharge therefor to be applied by them firstly in payment of all costs charges fees and out-of-pocket expenses of and incidental to the appointment of the Church of England Property Trust Diocese of Sydney as Trustee of the said Parish and of and incidental to the acquisition by the said Parish of all land devised to it by the said Llewellyn Calvert Pearce secondly in discharging in part or whole the debt owing upon the said rectory, and the balance if any in or towards the repairing and renovating of the said rectory and other parocnial buildings belonging to the said parish.

5. This Ordinance may be styled or cited as "St. Peter's Richmond Sale Ordinance 1950."

THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land in New South Wales containing by admeasurement Two Acres be the same more or less situated in the County of Cumberland and Parish of Ham Common being Allotment Number Twelve bounded on the West by a line South forty degrees West two chains fifty links commencing at Alridge's South West corner on the South by a line East forty

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degrees South eight chains on the East by a line North forty degrees East two chains fifty links. And on the North by Alridge's allotment being the land promised to James Timmins on or before the year One thousand eight hundred and forty one but then granted to Michael Timmins in accordance with the report on the Case 1013 made on the twenty-fourth day of September One thousand eight hundred and forty-one by Commissioners appointed under Act the fifth William IV Number 21.

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

W. G. HILLIARD, Bishop,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 30th day of October, 1950.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

2/11/1950