
St. Stephen's Kurrajong Sale Ordinance, 1960

No. 16, 1960.

AN ORDINANCE to authorise the sale of certain land situate at Northfield and Kurrajong Heights Kurrajong and to provide for the application of the proceeds thereof.

WHEREAS by Conveyance bearing date the twenty-second day of January One thousand eight hundred and seventy-eight made between James Comrie of the one part and the Bishop of Sydney of the other part a piece or parcel of land and hereditaments more particularly described in the First Schedule hereto was conveyed and assured unto and to the use of the Bishop of Sydney and his successors forever subject to the provisions of the Act of the Governor and Legislative Council of New South Wales eight William fourth number five upon trust to permit the said land to be used as a Glebe for the use of the Clergymen from time to time licensed by the Bishop of Sydney to officiate in some Church erected or to be erected on or in the neighbourhood of Kurrajong Heights.

AND WHEREAS it is expedient that the said land be vested in Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee").

AND WHEREAS the Corporate Trustee is registered as proprietor of the land comprised in the Land Grant Volume 3992, Folio 170, more particularly described in the Second Schedule hereto.

AND WHEREAS the land described in the Second Schedule hereto is Church Trust property held for the sole benefit of the Parish of St. Stephen, Kurrajong, but no express trusts in writing have been declared concerning the same.

AND WHEREAS it is expedient to sell the land described in the First Schedule hereto and to hold the net proceeds upon the existing trusts of such land.

AND WHEREAS 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 to sell the said land and to provide for the application of the proceeds of sale thereof. NOW the Standing Committee of the Synod

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of the Diocese of Sydney in the name and place of the said Synod hereby ordains and declares as follows:—

1. That the land described in the First Schedule hereto be and the said land is hereby vested in the Corporate Trustee.

2. By reason of circumstances subsequent to the creation of the trusts upon which the land described in the First Schedule hereto is held it is expedient that the said land be sold.

3. By reason of circumstances subsequent to the creation of the trusts upon which the land comprised 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.

4. The Corporate Trustee is hereby authorised to sell the land described in the First and Second Schedules hereto by public auction or private contract and either in one lot or several lots at such price or prices and upon such terms and conditions as the said Corporate Trustee may deem expedient freed from the trusts aforesaid.

5. The moneys arising from the sale of the land described in the First Schedule hereto shall be applied firstly in payment of the costs charges and expenses of and incidental to this Ordinance and of the sale of the said land and all outgoings in respect thereof and subject thereto the balance shall be paid to the Corporate Trustee to be invested in accordance with the provisions of the Investment of Church Trust Property Ordinance 1944 as amended from time to time and the income paid to the Clergyman licensed to officiate in the Church of St. James at Kurrajong Heights.

6. The moneys arising from the sale of the land described in the Second Schedule hereto shall be applied firstly in payment of the costs, charges and expenses of and incidental to this Ordinance (so far as the same have not already been paid) and of the sale of the said land and all outgoings in respect thereof and subject thereto the balance shall be paid to the Churchwardens for the time being of the Parish of St. Stephen Kurrajong to be paid by them to the credit of the account held by them and known as "Bilpin Church Building Fund" and to be applied in or towards the purchase of land at Bilpin for the erection thereon of a Church building.

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7. This Ordinance shall be styled and cited as "St. Stephen's Kurrajong Sale Ordinance, 1960."

THE FIRST SCHEDULE.

All that parcel of land containing by admeasurement 16 acres 2 roods 2 perches being Allotment 49 on the plan of the village of Northfield situate in the County of Cook at Kurrajong near Tobraga in the State of New South Wales having a frontage of 11 chains 60 links to East Street by a depth of 14 chains 24 links and being the whole of the land comprised in Indenture of Conveyance Registered No. 78, Book 191.

THE SECOND SCHEDULE.

All that parcel of land in the said State being Portion 103 of the Parish of Kurrajong containing by admeasurement 28 $\frac{1}{4}$ perches more or less situate in the County of Cook and Parish of Kurrajong at the intersection of roads leading from Kurrajong to Comleroy and Richmond to Comleroy commonly known as Comleroy and Roxana Roads and being the whole of the land comprised in Land Grant Registered Volume 3992, Folio 170.

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

H. G. S. BEGBIE,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 25th day of July, 1960.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

HUGH SYDNEY,
Archbishop of Sydney.

25/7/1960.