

*Vaucluse Land Sale.*

111914

AN ORDINANCE to authorise the sale of certain land situate at Vaucluse in the Parish of Alexandria and County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS by an indenture dated the 20th day of March A.D. 1854 registered No. 883 Book 31 and made between William Charles Wentworth (therein described) of the one part and The Reverend George McArthur William Dumaresq Charles Lowe and George Thorne (thereinafter called trustees) of the other part ALL THAT parcel of land situate at Vaucluse in the Parish of Alexandria County of Cumberland and State of New South Wales containing by admeasurement one acre two roods and twenty perches more or less and which said parcel of land is more particularly described in the first Schedule hereto was given granted aliened released enfeoffed and confirmed unto the said trustees their heirs and assigns upon trust that as to two roods and twenty perches of the said land the same should be for ever thereafter appropriated as the site and for the erection thereon of a Church of the United Church of England and Ireland as by law established with a proper churchyard thereto to be called Saint Michael's Church which when completed should be consecrated and for ever set apart for the Worship of God the administration of the Sacraments and the performance of all other religious rites and ceremonies according to the use of the said United Church of England and Ireland. AND as to three roods other part of the said land to appropriate the same for ever thereafter as and for the site of and for the erection thereon of a dwelling house garden and other appurtenances for the clergyman who might be duly licensed and appointed to officiate in the said Church and the remaining one rood of the same land as and for the site of a school (with a residence for a schoolmaster and mistress) to be for ever thereafter appropriated and used as a school for children under the general management and control of the Bishop of Sydney and the Incumbent of the said Parish of Alexandria North or other Ecclesiastical District in which the said school might become situate for the time being and of such local Committee as the said Bishop and Incumbent might from time to time appoint to aid and assist them in such

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management and control. AND WHEREAS by Deed of Consent dated the 29th day of November A.D. 1884 registered No. 631 Book 308 the said Reverend George McArthur and George Thorne therein described as being a majority of the said trustees did thereby consent that the said land should thenceforth become and be vested in the Church of England Property Trust Diocese of Sydney their successors and assigns subject to the trusts in the hereinbefore recited Indenture expressed and contained or to so much of the same as were then still subsisting undetermined and capable of taking effect. AND WHEREAS it has become inexpedient to carry out or observe the particular purposes for which the land described in the first Schedule hereto is by the said Indenture given. AND WHEREAS it is expedient that the land described in the first Schedule hereto should be sold and the proceeds of such sale applied in manner hereinafter provided. NOW THEREFORE 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 Property Act of 1889" ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said Trusts in the hereinbefore recited Indenture of the 20th day of March A.D. 1854 contained it has become inexpedient to carry out or observe the purposes for which the land described in the first Schedule hereto is by such Trusts given.

2. The land described in the first Schedule hereto 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 Church of England Property Trust may deem expedient freed from such Trusts as aforesaid.

3. For the purposes of the said sale or sales the said Trust may lay out and dedicate streets through the said land.

4. The purchase money arising from the said sale or sales shall be paid to the said Church of England Property Trust and

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after payment thereof of the costs charges and expenses of and incidental to this Ordinance and the said sale or sales and the Conveyance of the said land in pursuance thereof shall be applied by the said Trust in or towards the payment of the purchase money payable in respect of the land described in the second Schedule hereto and the erection thereon of a Rectory to be held upon trust for the Parish of Rose Bay and Vaucluse and in and towards the expenses to be incurred in purchasing the said land.

5. Any part of the said purchase money not immediately required to be applied as aforesaid may be invested by the said Trust in any stocks funds or securities of or guaranteed by the Government of the Commonwealth of Australia or of any of the States thereof or on mortgage of freehold properties in New South Wales with power from time to time to vary any such investments for any other or others of them and pending such investments may be deposited at interest with any Government Savings Bank or with any Joint Stock Company carrying on the business of Bankers in Sydney and the income arising from any such investments shall be accumulated and all such accumulation shall follow the destination of the original fund.

6. This Ordinance shall be styled and cited as the "Saint Michael's Vaucluse Land Sale Ordinance of 1914."

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THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

All that parcel of Land situate at Vaucluse in the Parish of Alexandria in the County of Cumberland containing by ad-measurement one acre two roods and twenty perches more or less commencing at the south-west corner of Lot twenty-six on the east side of the New South Head Road which said corner is eight chains fifteen links south of the junction of the said east side of the said road with the west side of the Vaucluse Road north and bounded on the north by the south boundary line of Lot twenty-six aforesaid bearing east magnetic three chains and five links on the east by a line bearing south sixteen degrees west

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five chains and forty-five links to the north boundary line of Lot twenty-three on the south by part of the boundary line bearing west sixteen degrees north four chains seventy links to the New South Head Road aforesaid and on the west by the east side of the said road five chains fifteen links to the point of commencement be the several dimensions a little more or less.

THE SECOND SCHEDULE HEREINBEFORE  
REFERRED TO.

All that piece of land situate at Vaucluse Parish of Alexandria and County of Cumberland being Lot nineteen of the ninth subdivision of the Vaucluse Estate.

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

E. W. MOLESWORTH,

*Chairman of Committees.*

We certify that this Ordinance was passed on 30th September, 1914.

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

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

6th October, 1914.

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