
St. Philip's Berkeley Land Sale Ordinance 1968

No. 38, 1968

AN ORDINANCE to authorise the sale of certain land in George Street, Berkeley in the City of Greater Wollongong and to provide for the application of proceeds thereof.

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 4503 Folio 143 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust property held for the sole benefit of the Church of England in Australia at Berkeley in the Parish of St. Stephen Port Kembla but no trusts have been declared in writing concerning the same AND WHEREAS the said land together with the Church Hall erected thereon was acquired prior to extensive housing development at Berkeley some distance removed from the subject land AND WHEREAS the said land is remotely situated from the main population of Berkeley AND WHEREAS the said land and Church Hall are no longer used for public worship or for other Church activities AND WHEREAS St. Philip's Church Berkeley has acquired a new Church Hall and Parsonage in Kelly Street Berkeley situated more advantageously within the recently developed area of Berkeley AND WHEREAS 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 to carry out and observe the same and it is expedient that the said land be sold and the net proceeds applied as hereinafter set forth 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:—

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 to carry out and observe the same and it is expedient that the land including the said Church Hall be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said land and building by public auction or private contract at such time at such price and upon such terms and conditions as it shall think fit freed from the trusts upon which it is now held.

3. The proceeds arising from the sale or sales shall after paying thereout the costs of and incidental to this ordinance and the sale and transfer pursuant thereto and all outgoings to which the sale

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is subject be paid to the Churchwardens for the time being of St. Philip's Berkeley and applied by them in reduction of the advance from the Bank of New South Wales Savings Bank Limited for the purchase of property Lot 564 in Deposited Plan 36794 having a frontage to Kelly Street Berkeley in the City of Greater Wollongong being the land contained in the Schedule to Ordinance No. 10, 1968.

4. This Ordinance may be cited as "St. Philip's Berkeley Land Sale Ordinance 1968".

SCHEDULE

All that piece or parcel of land situate at Berkeley in the City of Greater Wollongong, Parish of Wollongong, County of Camden having a frontage of 86' to George Street, Berkeley with a depth of 86' and a rear line measurement of 86' be the said several dimensions all a little more or less and containing by admeasurement 26½ perches or thereabouts being the land in plan annexed to Transfer No. C.79022 being part of Lot 32 in Deposited Plan No. 4718 and being the whole of the land in Certificate of Title Volume 4503 Folio 143 TOGETHER WITH the old fibro hall erected thereon.

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

H. G. S. BEGBIE,

Deputy 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 November, 1968.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

25/11/1968.