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*St. Philip's Sydney Land Sale Ordinance, 1960.*

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No. 43, 1960.

**AN ORDINANCE** to authorise the sale of certain land in York Street, City of Sydney and to provide for the application of the proceeds thereof.

WHEREAS by Deed Poll or Crown Grant dated the 26th March, 1850, all that piece or parcel of land containing by admeasurement one rood and eighteen perches be the same more or less situated in the County of Cumberland Parish of Saint Philip and City of Sydney on Church Hill commencing in Clarence Street at the north west corner of the Church Allotment and bounded on the west by that Street bearing north fifteen degrees west one chain thirty-nine links; on the north by Charlotte Place bearing east fifteen degrees north two chains sixty-three links, on the east by York Street bearing south fifteen degrees east one chain thirty-nine links to the north east corner of the Church Allotment and on the south by that allotment bearing west fifteen degrees south two chains sixty-three links to the commencing corner was granted unto the Right Reverend William Grant Broughton the Lord Bishop of Sydney and his successors Bishops of Sydney for ever John Campbell and Francis Mitchell their heirs and assigns for ever upon trust for the erection of a School House in connection with the United Church of England and Ireland as by law established and for no other purpose whatsoever AND WHEREAS by Deed Poll dated the nineteenth day of November One thousand eight hundred and eighty-six registered Number 629, Book 435, under the hand and seal of the Most Reverend Alfred Barry Bishop of Sydney after reciting that the property described in the Schedule thereto then belonged to or was vested in the said Bishop of Sydney (purporting to be sole continuing Trustee) upon the trusts contained in the before recited Crown Grant dated the Twenty-sixth day of March One thousand eight hundred and fifty and reciting the desire of the said Bishop of Sydney that the said property should become vested in the Corporate Body known as the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) it was witnessed that the said Bishop of Sydney did thereby consent that the said property mentioned in the said Schedule thereto (being the land described in the lastly recited Crown Grant) should thenceforth become and be vested in the Corporate Trustee its successors and assigns subject to the trusts contained in the said Crown Grant of the twenty-sixth day of March One thousand eight hundred and fifty AND WHEREAS the

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land described in the Schedule hereto forms part of the land described in the said recited Crown Grant and such land is required by the Department of Main Roads for road widening purposes AND WHEREAS it is expedient that the said land be sold to such Department NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod hereby ordains and directs as follows:—

1. By reason of circumstances which have arisen subsequent to 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.

2. The said land may be sold by private contract upon such terms and conditions as the Corporate Trustee may determine freed from the trusts to which it is subject.

3. The proceeds of sale of the said land shall after paying thereout any outgoings to which the said land is subject and the costs and expenses of and incidental to this Ordinance and the sale and conveyance thereof so far as the same be not paid by the Department of Main Roads shall be invested by the Corporate Trustee in accordance with the provisions of the Investment of Church Trust Property Ordinance 1944 or any Ordinance amending or taking the place of the same and the net income arising therefrom shall be paid to the Churchwardens for the time being of St. Philip's Church Sydney and be applied by them for general Parish purposes in accordance with the provisions of the Sydney Church Ordinance 1912 or any Ordinance amending or taking the place of the same.

4. This Ordinance may be cited as "St. Philip's Sydney Land Sale Ordinance, 1960,"

#### SCHEDULE.

All that piece or parcel of land situate in the City of Sydney, Parish of St. Philip, County of Cumberland and State of New South Wales being part of the land comprised within Conveyance registered No. 629, Book 435, commencing at the intersection of the north western boundary of the land comprised within the aforesaid Conveyance with a south western side of York Street and bounded thence on the north east by part of that side of that street bearing 164 degrees 23 minutes 30 seconds 73 feet 6 inches;

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thence on the south west by a marked line bearing 340 degrees 3 minutes 30 seconds 73 feet 9½ inches to the north western boundary of the land comprised in the aforesaid Conveyance; thence on the north west by part of that boundary of that land bearing 74 degrees 52 minutes 20 seconds 5 feet 6¾ inches to the point of commencement, having an area of 0½ perch or thereabouts.

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 19th day of December, 1960.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

HUGH SYDNEY,  
Archbishop of Sydney.

19/12/1960.