
St. Swithun's Pymble Land Sale Ordinance 1971

No. 37, 1971

AN ORDINANCE to authorise the sale of certain land at Pymble in the Municipality of Ku-ring-gai and to provide for the application of the proceeds.

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 3808 Folio 137 more particularly described in the First Part of the Schedule hereto AND WHEREAS the said land described in the First Part of the Schedule hereto is church trust property held for the sole benefit of the Parish of St. Swithun Pymble but no trusts in writing have been declared concerning the same AND WHEREAS there is erected on the land described in the First Part of the Schedule hereto St. Swithun's Rectory, 11 Merrivale Road, Pymble AND WHEREAS the land more particularly described in the Second Part of the Schedule hereto and which comprises part of the land described in the First Part of the Schedule hereto is not required for use in connection with the said Rectory or for any other purpose of the Parish of St. Swithun Pymble AND WHEREAS it is expedient that the said land described in the Second Part of the Schedule hereto be sold and the 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 ORDAINS DECLARES 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 Second Part of the Schedule hereto it held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the land described in the Second Part of the Schedule hereto by public auction or private contract, at such time or times, at such price and upon such terms and conditions as the Corporate Trustee determines freed from the trusts upon which it is now held.

3. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this Ordinance and of the sale and transfer in pursuance thereof and all outgoings to which the said land may be subject shall be paid to the Churchwardens of St. Swithun's Church Pymble and applied by them in the discharge of the mortgage over the land described in the First Part of the Schedule hereto and the balance after such discharge shall be held by them in trust for the purpose of effecting future additions

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and/or improvements to St. Swithun's Rectory or for payment towards the purchase or building of a new Rectory on some other site.

4. This Ordinance may be cited as "St. Swithun's Pymble Land Sale Ordinance 1971".

SCHEDULE

FIRST PART

ALL THAT piece or parcel of land situate at Pymble in the Municipality of Ku-ring-gai County of Cumberland having a frontage to Merrivale Road of 78' 10½" by depths therefrom of 275' and 287' 4" with a rear line of 75' 5½" and containing an area of 1 rood 39 perches being the whole of the land in Certificate of Title Volume 3806 Folio 137.

SECOND PART

ALL THAT piece or parcel of land situate and lying at Pymble in the Municipality of Ku-ring-gai, Parish of Gordon, County of Cumberland containing by admeasurement an area of 32¼ perches being part of the land comprised in Certificate of Title Volume 3806 Folio 137 COMMENCING at the Easternmost corner of the land comprised in Certificate of Title Volume 3806 Folio 137 bounded on the South-east by a line bearing South-westerly 221 degrees 32 minutes 75 feet 5½ inches thence on the South-west by a line bearing North-westerly 311 degrees 04 minutes 25 seconds 122 feet 4 inches thence on the North-west by a line bearing North-easterly 50 degrees 53 minutes 40 seconds 77 feet 6½ inches and finally on the North-east by a line bearing South-easterly 131 degrees 33 minutes 109 feet 8½ inches to the point of commencement be the said area and several said dimensions all a little more or less.

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 25th day of October, 1971.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

25/10/1971.