
All Saints' Albion Park Land Sale Ordinance 1965

No. 23, 1965

AN ORDINANCE to authorise the sale of certain land at Albion Park and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the Owner in Fee simple of the land described in the first part of the Schedule hereto AND WHEREAS the said land is held upon trust to permit the same to be used in such manner as the Rector and Churchwardens for the time being of the Church of All Saints Albion Park may deem expedient in connection with the Church of England at Albion Park in the Parish of Dapto subject however to the provisions of the Sydney Church Ordinance 1912 or any other Ordinance amending or taking the place of the same AND WHEREAS the said land has now been subdivided AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said land it is inexpedient to carry out and observe the same to the extent that the Trusts are hereby varied and it is expedient that the land in the second part of the Schedule be sold AND WHEREAS the Church of All Saints Albion Park is no longer within the Parish of Dapto and the Parish Council of the Parish of Dapto has duly consented to this Ordinance NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod HEREBY ORDAINS AND DECLARES AS FOLLOWS:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts of the land described in the schedule hereto it is inexpedient to carry out the said trusts and it is expedient to sell the said land.

2. The said land may be sold by the said Corporate Trustee either by public auction or private contract and at such price or prices and upon such terms and conditions as the said Corporate Trustee may determine with power to vary or rescind any contract for sale.

3. The purchase money to arise from any sale or sales of the said land or any part or parts thereof shall be paid to the said Corporate Trustee and so much thereof as shall be required for such purpose shall be applied by it in the payment of all outgoings properly chargeable against the said land and all costs charges and

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expenses of and incidental to this Ordinance and of and incidental to any sale or sales of the said land and the balance of the said purchase money shall be paid to the Churchwardens for the time being of All Saints' Albion Park and applied by them in reduction of the debt owing on the new Rectory in the said Parish or such other capital purpose as the Standing Committee at the request of the said Parish may determine.

4. This Ordinance may be cited as "All Saints' Albion Park Land Sale Ordinance 1965."

SCHEDULE

FIRST PART

All that piece or parcel of land situated in the Parish of Jamberoo County of Camden and State of New South Wales containing One acre one rood thirty nine perches being Lots One Two Three and Four of Section Two of the Subdivision of Thirty six acres one rood twenty eight perches of land being Lot Thirty nine of the Terry's Meadows Estate of Two thousand acres granted to Samuel Terry on the Ninth day of January One thousand eight hundred and twenty seven COMMENCING at the North west corner of Lot One being the intersection of Church Street and Tongarra Road thence by the Southern side of the Tongarra Road being a line bearing North seventy four degrees twenty four minutes East two hundred and sixty five feet six inches thence by the Western boundary of the Church of England property being a line bearing South Twenty three degrees fifty three minutes East Two hundred and forty seven feet two inches thence by the Northern boundary of Lot Five being a line bearing South fifty five degrees thirteen minutes West two hundred feet four inches to the Eastern side of Church Street thence by the Eastern side of Church Street being a line bearing North Thirty four degrees forty seven minutes West three hundred and twenty nine feet four inches to the point of commencement EXCEPTING THEREOUT ALL THAT piece or parcel of land being part of said Lots Three and Four of Section Two of the abovementioned Subdivision conveyed by the said John Bartlett to the said Church Property Trust by Indenture of Conveyance bearing date the Fourth day of July One thousand nine hundred and twenty two Registered Number 378 Book 1267.

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SECOND PART

All that piece or parcel of land situated in the Municipality of Shellharbour Parish of Jamberoo County of Camden at the corner of Tongarra Road and Church Street Albion Park being part of Lot 39 of the Terry Meadow Estate and part of the land in Conveyances No. 186 Book 1633 and No. 738 Book 145 and being Lot 1 on a Plan of Subdivision of Surveyor Robert Dovers and approved by the Council of the Municipality of Shellharbour under Subdivision No. 32/1962.

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 30th day of August 1965.

W. L. J. HUTCHISON, Secretary.

I assent to this Ordinance.

MARCUS L. LOANE, Bishop,
Commissary.

30/8/1965: