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*Barker College Sale Ordinance 1955.*

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No. 34, 1955.

AN ORDINANCE to authorise the sale of certain land belonging to Barker College and to provide for the application of the proceeds of sale.

WHEREAS by The Council of Barker College Incorporation Ordinance 1939 it was ordained directed and ruled for the purpose of managing governing or controlling the institution or organisation of Barker College of the Church of England that the persons who for the time being were the members of the unincorporated body of the Council of Barker College should be constituted a body corporate under the name of "The Council of Barker College."

AND WHEREAS the Council of Barker College (hereinafter called "the Council") is registered as proprietor of the land comprised in Certificate of Title Volume 6908 Folio 73.

AND WHEREAS the said land is held for the purposes of the said College and is Church Trust Property within the meaning of Section 4 of the Church of England Trust Property Act 1917.

AND WHEREAS the Council has erected certain school buildings and intends to erect a chapel upon portion of the said land.

AND WHEREAS for the purpose of erecting the said school buildings the said land has been mortgaged to the Australian Mutual Provident Society and (together with other lands) to the National Bank of Australasia Limited.

AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said land it has become expedient that the said land described in the Schedule hereto being part of the land comprised in the said Certificate of Title be sold and the nett proceeds applied in or towards completing the erection of the said school buildings or chapel or in or towards repayment of any principal moneys owing to the said Australian Mutual Provident Society or the National Bank of Australasia Limited or for any one or more of these purposes.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod hereby ordains and directs as follows:—

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*Barker College Sale Ordinance 1955.*

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1. By reason of circumstances subsequent to the creation of the said trusts it is expedient to sell the said land described in the Schedule hereto.

2. The Council is hereby authorised to sub-divide the said land comprised in the said Certificate of Title Volume 6908 Folio 73 and to sell the land described in the Schedule hereto by public auction or private contract either in one lot or in several lots at such time or times and to such price or prices and upon such terms and conditions as the Council may from time to time determine.

3. The Council shall execute all documents necessary for the purpose of carrying any such sale as aforesaid into effect.

4. Any person company corporation or institution of any kind paying any purchase money may pay the same to the Treasurer for the time being of the said Council or such other person as the said Council may by resolution appoint for and on behalf of the said Council and the receipt of the said Treasurer or such other person so appointed as aforesaid shall be a full and sufficient discharge to such person company corporation or institution paying such money.

5. The moneys arising from the sale of the said land or any part thereof shall after deducting thereout all rates and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and the said sale and transfer of the land in pursuance thereof be applied by the Council in or towards the erection of the said school buildings or chapel or in or towards the repayment of any principal moneys owing to the said Australian Mutual Provident Society or the National Bank of Australasia Limited or for any one or more of these purposes.

6. This Ordinance may be cited as the "Barker College Sale Ordinance 1955."

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THE SCHEDULE HEREIN REFERRED TO.

All that piece or parcel of land situated in the Shire of Hornsby Parish of South Colah and County of Cumberland having a frontage of 300 feet 6½ inches to Pacific Highway by 138 feet 9½ inches depth being part of lots 7 to 10 inclusive and part of lots 17 to 20 inclusive of Section 5 in Deposited Plan 2669.

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And also all that piece or parcel of land situate as aforesaid having a frontage of about 143 feet 8½ inches to Pacific Highway by a depth of 181 feet 10¼ inches on the one boundary and 187 feet ½ inches on the other boundary being part of Lot 5 in Deposited Plan No. 3145 both said pieces or parcels of land being part of the land comprised in Certificate of Title Volume 6908 Folio 73.

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

W. G. HILLIARD, Bishop.

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 14th day of December, 1955.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

16/12/1955.