
*St. Philip's Caringbah with St. Stephen's Taren Point
(Port Hacking Road) Sale Ordinance 1959.*

No. 13, 1959.

AN ORDINANCE to authorise the sale of certain land situate in Port Hacking Road Caringbah Shire of Sutherland and to provide for the application of the proceeds thereof.

WHEREAS by Certificate of Title Registered Volume 5013 Folios 98 and 99 Church of England Property Trust Diocese of Sydney (hereinafter referred to as "the Corporate Trustee") is the Proprietor of an estate in fee simple in the land more particularly described in the first schedule hereto.

AND WHEREAS the said land is held by the Corporate Trustee upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District Provisional Parish or Parish from time to time in which the Church of St. Philip's Caringbah is situated.

AND WHEREAS erected upon the said land is a dwelling house used as a Rectory for the said Provisional District.

AND WHEREAS it is expedient to remove and re-erect the said Rectory upon another site on the said land.

AND WHEREAS owing to the growth of the said Provisional District it is also expedient to purchase the adjoining land being Lot 7 Section 6 in Deposited Plan No. 5605 having a frontage of about 100 feet to Port Hacking Road and being the whole of the land in Certificate of Title Volume 3685 Folio 57 and to use the same for the purposes of the said Provisional District.

AND WHEREAS by reason of circumstances subsequent to the creation of the trusts hereinbefore firstly referred to it has become inexpedient to carry out and observe such trusts in their entirety and it is expedient to sell the land more particularly described in the second schedule hereto being part of the land comprised in the first schedule hereto and to apply the proceeds of sale in or towards the cost of removing and re-erecting of the said Rectory and in or towards the purchase of the said Lot 7 and any balance remaining thereafter in or towards the cost

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of erecting a new Church for the said Provisional District, Provisional Parish or Parish from time to time in which the church of St. Philip's Caringbah is situated.

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

1. By reason of circumstances subsequent to the creation of the trusts of the land firstly hereinbefore recited it has become inexpedient to carry out or observe such trusts in their entirety and it is expedient to sell the land comprised in the Second Schedule hereto.

2. The said Corporate Trustee is hereby empowered to sell the said land or any portion or portions thereof by public auction or private contract and either in one lot or in several lots at such price or prices and upon such terms and conditions as the Corporate Trustee may deem expedient free from such trusts as aforesaid.

3. The said Corporate Trustee is hereby authorised and empowered to subdivide the land comprised in the first schedule and for the purpose of such subdivision or for any other purpose to grant and dedicate drains watercourses rights of way or other easements or rights thereout or in connection therewith and to grant and dedicate any land for any public purposes as the Corporate Trustee may deem expedient and to register any plan or plans of subdivision with the Registrar-General, Sydney AND the said Corporate Trustee is hereby directed to execute the transfer or deeds or other instrument or instruments and do all acts measures and things necessary for the purpose of carrying into effect any sale or sales or other dealing matter or thing authorised by this Ordinance.

4. The purchase money arising from such sale or sales shall be paid to the said Corporate Trustee and shall be applied by the said Corporate Trustee as follows:—

- (a) In payment of all outgoing properly chargeable against the said land or any part or parts thereof and of all costs charges and expenses of and incidental to this ordinance and the said sale or sales and the transfer and/or the subdivision of the said land and/or the other matters referred to in this Ordinance.

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- (b) Subject thereto the balance shall be paid to the Churchwardens of St. Philip's Caringbah who shall apply the same for or towards the cost of and incidental to removing and re-erecting the said Rectory upon another site on the land more particularly described in the first schedule hereto and/or in purchasing the said Lot 7 including the payment of all costs charges and expenses of, and incidental to such purchase and any balance remaining thereafter in or towards the costs of and incidental to erecting a new Church for the said Provisional District.

5. This Ordinance shall be styled and cited as "St. Philip's Caringbah with St. Stephen's Taren Point (Port Hacking Road) Sale Ordinance 1959."

THE FIRST SCHEDULE.

All that piece of land at Caringbah Shire and Parish of Sutherland and County of Cumberland having a frontage of 100 feet 0 $\frac{1}{4}$ inches to Port Hacking Road by depths of 396 feet 9 inches and 395 feet 2 inches containing 3 roods 25 $\frac{1}{4}$ perches being Lots A and B in plan annexed to Order No. C 743193 and the whole of the land in Certificates of Title Volume 5013 Folios 98 and 99.

THE SECOND SCHEDULE.

All that piece of land situated at Caringbah Shire and Parish of Sutherland County of Cumberland having a frontage of 90 feet 0 $\frac{1}{4}$ inches to Port Hacking Road by a depth of 150 feet and a rear line of 90 feet being part of Lots "A" and "B" and part of the land comprised in Certificates of Title Volume 5013 Folios 98 and 99.

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

H. GORDON S. BEGBIE,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 27th day of July, 1959.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HUGH SYDNEY,

Archbishop.

27/7/1959.