

ALL SAINTS ALBION PARK LAND SALE ORDINANCE 1973

No. 4 1973

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

WHEREAS by Indenture of Conveyance dated the 14th day of April, 1970 registered No. 102 Book 2971 between the Public Trustee of (the one part and Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") of the other part the Public Trustee as the executor of the Will of Albertina Rachel Hurry late of Albion Park Spinster deceased did thereby convey in fee simple to the Corporate Trustee (erroneously referred to as "Church of England Property Trust Sydney Diocese") the lands described in the First and Second Schedules hereto AND WHEREAS the said lands are church trust property held by the Corporate Trustee for the sole benefit of All Saints Church Albion Park AND WHEREAS by reason of the situation of the said lands and by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same AND WHEREAS it is now expedient that the said lands 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 DIRECTS AND RULES as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold.
2. The Corporate Trustee is hereby empowered to sell the said lands in one or more parcels by public auction or private contract at such time or times at such price or prices and upon such terms and conditions as the Corporate Trustee shall determine freed from the trusts upon which they are now held.
3. The proceeds arising from the sale or sales of the said lands after paying thereout the costs of and incidental to this Ordinance and of the sale or sales and conveyance or conveyances in pursuance thereof and all outgoings to which the said lands may be subject shall be paid to the Churchwardens for the time being of All Saints' Church Albion Park and applied for the erection of a parish hall and child care centre adjacent to the said church.
4. This Ordinance may be cited as "All Saints Albion Park Land Sale Ordinance 1973".

FIRST SCHEDULE

ALL THAT piece or parcel of land situated in the Parish of Jamberoo County of Camden and State of New South Wales containing five acres three roods twenty-four perches being allotments two to fourteen of William Fryer's subdivision of Part of allotment thirty-nine of the Terry's Meadow Estate. Commencing at the north east corner of Harry's half acre and on the southern side of the Tongarra Road thence by the southern side of that road being a line bearing north seventy-four degrees twenty-four minutes east three chains thence by the Western boundary of allotment number one being a line bearing south thirty-five degrees forty-seven minutes east four chains eighty-six links, thence by the southern boundary of allotment number one being a line bearing north fifty-five degrees thirteen minutes east one chain forty-eight links to the western side of Church Street thence by the western side of that street being a line bearing south thirty-four degrees forty-seven minutes east six chains thence by the northern side of Sophia Street being a line bearing south fifty-five degrees thirteen minutes west six chains twenty links thence by the eastern side of a half chain wide road being a line bearing north thirty-four degrees forty-seven

minutes west six chains thence by the southern boundary of Harry's half acre being a line bearing north seventy-four degrees fifteen minutes east two chains thence by a line bearing north thirty-four degrees forty-seven minutes west two chains fifty links to the point of commencement be the said several dimensions a little more or less.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated in the District of Illawarra County of Camden and Colony of New South Wales being part of Lot 39 of The Terry's Meadows Estate containing by admeasurement one half acre commencing on the Cooback Road at a point distant 23 chains 60 links from the north west corner of Lot 40 and bounded towards the south by other part of said Lot 39 being a line bearing north easterly 2 chains towards the east by other part of said Lot 39 being a line bearing north-westerly two and a half chains to the Shellharbour Road to the north west corner of said Lot 39 being a line bearing westerly two chains and towards the west by the Cooback Road being a line bearing south-easterly, two and a half chains to the point of commencement.

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 26th day of March, 1973.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

MARCUS LOANE  
Archbishop of Sydney  
26/3/1973