



## **Berrima (Vesting of Land) Ordinance 1998**

No 5, 1998

### **Long Title**

An Ordinance to consent to the vesting of certain land at Berrima in Anglican Church Property Trust Diocese of Sydney.

### **Preamble**

A. By Deed dated 18 January 1847, being Registered No 163 Book 12, the land now known as Lot 1 in Deposited Plan 999878 was conveyed to James Jerome Higgins, Henry Molesworth Oxley and William John Cordeaux to be held upon trust for the erection thereon of a church or chapel in the performance of divine worship according to the rites of the Church of England as may be established.

B. James Jerome Higgins, Henry Molesworth Oxley and William John Cordeaux are each believed to be deceased and it is expedient to consent to the vesting of the land now known as Lot 1 in Deposited Plan 999878 in the corporate trustee of the Diocese of Sydney, Anglican Church Property Trust Diocese of Sydney (the "Property Trust").

C. James John Oldbury Atkinson, William John Cordeaux, Alfred James Powell, Thomas Palmer Galbraith and George Edwin Makin are the registered proprietors of the land now known as Lots 8 and 9 of Section 3 in Deposited Plan 758098.

D. By Instrument dated 27 October 1890, the Bishop of Sydney appointed John Armfield as trustee of the land now known as Lots 8 and 9 of Section 3 in Deposited Plan 758098 following the resignation of Alfred James Powell but the folios of register maintained by the Registrar-General for that land were not amended following that appointment.

E. By Crown Grant dated 20 November 1882, being Volume 626 Folio 237, the land now known as Lot 8 of Section 3 in Deposited Plan 758098 is held upon trust for the erection thereon of a church in connection with the United Church of England and Ireland, as by Law established, in conformity with the Provisions of the Act passed in the eighth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales", and of a certain other Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to promote the Building of Churches and Chapels, and to provide for the Maintenance of Ministers of Religion in New South Wales," so far as they may apply to the trusts of the grant.

F. By Crown Grant dated 20 November 1882, being Volume 626 Folio 238, the land now known as Lot 9 of Section 3 in Deposited Plan 758098 is held upon trust for the appropriation thereof as a place of a building, house, garden, and other appurtenances, for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland, in New South Wales, erected at Berrima in conformity with the Provisions of the Act passed in the eighth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales", and of a certain other Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to promote the Building of Churches and Chapels, and to provide for the Maintenance of Ministers of Religion in New South Wales," so far as they may apply to the trusts of the grant.

G. James John Oldbury Atkinson, William John Cordeaux, Alfred James Powell, Thomas Palmer Galbraith, George Edwin Makin and John Armfield are each believed to be deceased and it is expedient to consent to the vesting of the land now known as Lots 8 and 9 of Section 3 in Deposited Plan 758098 in the Property Trust.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows -

**Name of Ordinance**

1. This Ordinance is the Berrima (Vesting of Land) Ordinance 1998.

**Consent**

2. Under section 19 of the Anglican Church of Australia Trust Property Act 1917, consent is given to the vesting of the following land in the Property Trust -

Lot 1 in Deposited Plan 999878

Lot 8 of Section 3 in Deposited Plan 758098

Lot 9 of Section 3 in Deposited Plan 758098.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

**N.M. CAMERON**

*Chairman of Committees*

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 March 1998.

**M.A. PAYNE**

*Secretary*

I Assent to this Ordinance.

**R.H. GOODHEW**

*Archbishop of Sydney*

26/3/1998