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*The Church of England Homes (Rosebank) Land Sale  
Ordinance of 1937.*

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No. 4, 1937.

AN ORDINANCE to authorise the sale of certain land situate at The Glebe being part of the property known as "Rosebank" held for the benefit of the Church of England Homes and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the "Property Trust") is the Registered Proprietor of the land comprised in Certificate of Title dated the Third day of March One thousand nine hundred and twenty-three Registered Volume 3426 Folio 127 AND WHEREAS the said land was transferred to the said Property Trust by the Institution then known as "The Sydney Female Refuge Society" AND WHEREAS by Declaration of Trust bearing date the Eleventh day of June One thousand nine hundred and twenty-six the said Property Trust declared that it and its assigns should stand seized of interested in and registered as the Proprietor of all and singular the lands and premises comprised in the said Certificate of Title as Church Trust Property within the meaning of the Church of England Trust Property Act 1917 UPON TRUST for the Society or Institution known as The Church of England Homes conducting its operations at Glebe Point near Sydney to be used by it in connection with its work and objects so far as they are the same as the work and the objects of The Sydney Female Refuge Society AND WHEREAS by the Church of England Homes Constitution Ordinance 1930 the amalgamation of the said Church of England Homes with The Church of England Committee for Homes and Hostels for Children was approved and the Constitution of the amalgamated Society known as The Church of England Homes (hereinafter referred to as "the said Society") as set forth in the Schedule to the said Ordinance was thereby ratified and confirmed and by the said Ordinance it was declared that the said Society should be thenceforth managed and conducted pursuant to the provisions of the said Constitution and with respect to the properties set out in the said Constitution and to the property to be thereafter acquired thereunder and in all respects should have and exercise all the rights powers and be otherwise subject to all the provisions therein contained AND WHEREAS the land comprised in the said Certifi-

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cate of Title being the land described in paragraph (E) of the first part of the Schedule to the said Constitution is now in pursuance of the said Ordinance and the said Constitution held in trust for the benefit of the said Society AND WHEREAS by the said Constitution the management conduct and control of the said Society is vested in a Committee to be elected as therein provided AND WHEREAS the land described in the Schedule hereto being portion of the land comprised in the said Certificate of Title is no longer suitable for the purpose of carrying on the work of the said Society and the said Society has no further use for the same AND WHEREAS by reason of circumstances subsequent to the creation of the said recited trusts it is expedient to sell the land described in the Schedule hereto AND WHEREAS the Committee of the said Society has by Memorandum of Agreement bearing date the twenty-first day of May One thousand nine hundred and thirty-seven made between the said Committee 'as Vendor of the one part and one Violet Mary Bardsley as Purchaser of the other part (which Agreement is hereinafter referred to as the Agreement for Sale) agreed to sell and the Purchaser to purchase the portion of the property comprised in the said Certificate of Title which is described in the Schedule hereto TOGETHER with certain personal property more particularly described therein in upon or about the buildings erected on the said land for the total price or sum of £4850/0/0 upon the terms and conditions set forth in the said Agreement for Sale AND WHEREAS it was a term of the said Agreement for Sale that the said land was sold and the said Agreement for Sale entered into subject to the condition that the Synod of the Church of England in the Diocese of Sydney or the standing Committee thereof by Ordinance under the provisions of the Church of England Trust Property Act 1917 approved of the sale Now Therefore the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and the Land Ordinance Procedure and Delegation of Powers Ordinances and in pursuance of the powers in that behalf conferred upon the Synod by the Constitutions for the management and good government of the Church of England in the State of New South Wales and of all other powers thereunto enabling it Ordains declares determines directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said recited trusts it has become inexpedient to

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carry out or observe the trusts aforesaid to the extent to which they are by this Ordinance varied And it has become expedient to sell the land described in the Schedule hereto.

2. The said Agreement for Sale is hereby ratified and confirmed and accordingly the land described in the Schedule hereto which is the subject of the said Agreement for Sale may be sold by the Property Trust to the Purchaser named in the said Agreement for Sale or her nominee for the price and upon and subject to the terms conditions and provisions set forth in the said Agreement for Sale.

3. The purchase money payable under the Agreement for Sale shall be received by the Property Trust and applied as follows:—

- (a) In payment of the costs charges and expenses of and incidental to this Ordinance and to the sale of the said land.
- (b) In payment of any rates taxes or other outgoings or charges which may be outstanding in respect of the property described in the said Certificate of Title.
- (c) Such balance of the purchase money as shall remain after making the payments aforesaid shall be paid to the Archbishop of Sydney and shall be held by him upon trust for the said Society or Institution known as The Church of England Homes to be used by it in connection with or for the purposes of its work and objects as set forth in its Constitution.

4. This Ordinance shall be styled and cited as "The Church of England Homes (Rosebank) Land Sale Ordinance of 1937."

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THE SCHEDULE HEREINBEFORE REFERRED TO.

ALL THAT piece or parcel of land situated at Glebe in the Parish of Petersham County of Cumberland and being part of land comprised in Certificate of Title Volume 3426 Folio 127 commencing at the intersection of the South Eastern alignment of Hereford Street with the South Western alignment of Glebe Point Road and bounded thence on part of the North West by

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the first mentioned alignment South Westerly 90 feet thence on part of the South West by a line parallel to the South Western alignment of Glebe Point Road South Easterly 154 feet 6 inches thence on the remainder of the North West by a line bearing South Westerly to a point on the South Western boundary of land in Certificate of Title Volume 3426 Folio 127 aforesaid distant North Westerly 104 feet from the most Southerly corner of that land thence on the remainder of the South West by part of the South Western boundary of land in Certificate of Title Volume 3426 Folio 127 aforesaid bearing South Easterly 104 feet thence on the South East by South Eastern boundaries of land in Certificate of Title Volume 3426 Folio 127 bearing North Easterly to the South Western alignment of Glebe Point Road aforesaid and thence on the North East by that alignment North Westerly to the point of commencement together with a Right of Way as appurtenant to the land above described along the South Western boundary of land in Certificate of Title Volume 3426 Folio 127 aforesaid from the North Western boundary of land above described to the North Western boundary of the land comprised in Certificate of Title Volume 3426 Folio 127.

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

R. C. ATKINSON,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this Thirty-first day of May, 1937.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

31st May, 1937.