

*Ingleburn Sale, etc.*

10/1916

AN ORDINANCE to authorise the sale of certain parcels of land at Ingleburn in the State of New South Wales more particularly described in the Schedule hereto and the removal of the building erected on one of such parcels of land together with its appointments and to provide for the application of the proceeds of such sale.

WHEREAS the Property Trust by virtue of Certificate of Title under the provisions of the Real Property Act 1900 Registered Volume 2387. Folio 56 is the registered proprietor of the land described in the first part of the Schedule hereto which land is held upon trust for a Church Parsonage or Parish Hall or partly for one and partly for the other of such purposes. AND WHEREAS the Property Trust is the owner in fee simple of the land described in the second part of the said Schedule which is held upon trust to permit a Church to be erected thereon to be called the "Church of St. James Minto." AND WHEREAS the Property Trust is also the owner in fee simple of the lands described in the third part of the said Schedule which land is held upon trust for a Parsonage or Parish Hall or partly for one and partly for the other of such purposes. AND WHEREAS the whole of the lands described in the said Schedule have become and are unsuitable for the purposes to which by the said Trusts the same are respectively devoted. AND WHEREAS a more suitable site for a church having been found on the Cumberland Road Ingleburn it has been decided that with the consent of the Synod the whole of the lands described in the Schedule hereto should be sold and the proceeds of such sale applied for or towards the purchase of such new site and the erection of a Church thereon. AND WHEREAS there is erected upon the land secondly described in the Schedule hereto a Church building hitherto known as St. James's Church which Church building belongs to the Parish of St. Peter's Church Campbelltown and is to be removed from the said land for the purpose of re-erection elsewhere in the last-named Parish. AND WHEREAS by reason of the facts as hereinbefore stated it is expedient that the Property Trust should be authorised to sell the said old Church site and the two Parsonage

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or Parish Hall sites if and when the Archbishop in writing approves thereof and apply the purchase moneys therefor in the manner hereinafter appearing. NOW THEREFORE the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

(1) In the construction and for the purpose of this Ordinance the following expressions shall bear the respective meanings set against them:—

"The Property Trust." The Church of England Property Trust Diocese of Sydney.

"The Purchase Moneys." The moneys to be derived from the sale of the lands described in the first second and third parts of the Schedule hereto and the building erected upon one of the parcels of the said lands.

2. By reason of circumstances which have occurred since the creation of the said recited Trusts it has become inexpedient to carry out or observe the particular purposes to which the lands described in the Schedule hereto are by the said Trust devoted.

3. The Rector and Church Wardens of the Parish of St. Peter's Church Campbelltown or other person or persons appointed by them shall and they are hereby authorised and empowered to remove from the land secondly described in the Schedule hereto the Church building now erected thereon together with the pews and other fittings and appointments now standing in the said Church buildings and they shall re-erect the said Church building with fittings and appointments elsewhere within the boundaries of the said Parish of St. Peter's Campbelltown and the same shall be used for the purposes of public worship in connection with the Church of England in the said Parish PROVIDED THAT before such removal the Rector and Church Wardens of the said Parish of St. Peter's Church Campbelltown shall either pay to the Minister and the Church Wardens of St. Barnabas' Church Ingleburn the sum of Twenty seven pounds or shall have entered into an agreement to pay such sum by five

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equal annual instalments commencing from the date of the passing of this Ordinance PROVIDED FURTHER that the said Rector and Church Wardens of St. Peter's Church Campbelltown shall not be compelled to remove the said Church buildings for a period of five years from date of the passing of this Ordinance.

4. The lands described in the Schedule hereto may be sold by public auction or private contract and either in one lot or in parcels at such price or prices and upon such terms and conditions as the Property Trust may deem expedient freed and discharged from the said recited Trusts but subject as regards the land described and comprised in the second part of the said Schedule to the right of removal of the buildings thereon and the general provisions contained in Clause 3 hereof PROVIDED that the lands described in the second and third parts of the said Schedule shall not be sold without the consent in writing of the Archbishop.

5. The purchase moneys arising from such sale or sales shall be paid to and applied by the Property Trust in or towards the purchase of other land in the Parochial District of Denham Court and Rossmore at Ingleburn and such lands shall be held upon trust for the Church of England and the erection of a Church thereon.

6. This Ordinance shall be styled and cited as the "St. James's Church Ingleburn Sale and Purchase Ordinance of 1916."

## THE SCHEDULE.

## FIRST PART.

All that piece of land in the Municipality of Ingleburn Parish of Minto County of Cumberland containing an area of One rood thirty-one and three-quarter perches being Lots 3 and 3 Section A as shown on Deposited Plan No. 6446 and the whole of the land comprised in Certificate of Title Registered Volume 2387 Folio 56.

## SECOND PART.

All that piece or parcel of land situate and lying at Minto Parish of Minto County of Cumberland and Colony now State of New South Wales and being part of Lot 294 of the Second Sub-

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division of the Campbellfields Estate Commencing at a point being the most Eastern corner of the said Lot 294 and bounded thence on towards the North-East by Lot 295 being a line bearing North-Westerly two hundred feet thence on towards the North-West by a line bearing South-Westerly one hundred and forty feet four inches thence on towards the South-West by a line bearing South-Easterly two hundred feet to a road one hundred and fifty links leading from the township of Minto and thence on towards the South-East by that road bearing North-Easterly two hundred and ten feet to the point of commencement and containing by admeasurement three roods and one-half perch be the abovementioned several dimensions all a little more or less. Being the whole of the land comprised in Conveyance dated the Eighth day of June One thousand eight hundred and ninety-seven Registered No. 616 Book 601 from William Henry Tyerman to Henry Williams (Trustee).

## THIRD PART.

All that piece or parcel of land situate in the Parish of Minto County of Cumberland State of New South Wales containing by admeasurement thirty-two and one-half perches be the same more or less. Commencing at the intersection of Chester Road and Gertrude Road and bounded on the North-East by Chester Road bearing North fifty-six degrees thirteen minutes West forty-five feet thence on the North-West by a line bearing South thirty-three degrees forty-seven minutes West one hundred and ninety-eight feet thence on the South-West by a line bearing South fifty-six degrees thirteen minutes East forty-five feet to Gertrude Road and on the South-East by that Road bearing North fifty-six degrees thirteen minutes East one hundred and ninety-eight feet to the point of commencement being Allotment One of Section Two of The Glen Sub-division and part of C. A. Scriver's 24 acres ALSO all that piece or parcel of land situate in the Parish of Minto aforesaid and containing by admeasurement twenty-nine perches be the same more or less commencing at a point in Chester Road two hundred and forty-five feet from its intersection with Percy Road and bounded thence on the North-East by Chester Road bearing South fifty-six degrees thirteen minutes East forty feet thence on the South-East by a line bearing South thirty-three degrees forty-seven minutes West one

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hundred and ninety-eight feet thence on the South-West by a line bearing North fifty-six degrees thirteen minutes West forty feet and on the North-West by a line bearing North thirty-three degrees forty-seven minutes East one hundred and ninety-eight feet to the point of commencement being Allotment Two of Section Two of the Glen Sub-division and part of C. A. Scriveners' 24 acres. AND also all that piece of parcel of land situate in the Parish of Minto aforesaid and containing by admeasurement twenty-nine perches be the same more or less commencing at a point in Chester Road two hundred and five feet from its intersection with Percy Road and bounded thence on the North-East by Chester Road bearing South fifty-six degrees East forty feet thence on the South-East by a line bearing South thirty-three degrees forty-seven minutes West one hundred and ninety-eight feet thence on the South-West by a line bearing North fifty-six degrees thirteen minutes West forty feet and on the North-West by a line bearing North thirty-three degrees forty-seven minutes East one hundred and ninety-eight feet to the point of commencement being Allotment Three of Section Two of The Glen Estate Sub-division and part of C. A. Scrivener's 24 acres being the whole of the lands comprised in Indenture of Conveyance dated the fifteenth day of April One thousand eight hundred and eighty-seven Registered No. 59 Book 506 from Charles Ambrose Scrivener to The Church of England Property Trust Diocese of Sydney.

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

E. W. MOLESWORTH,

*Chairman of Committees.*

We certify that this Ordinance was passed on 7th December, 1916.

E. CLAYDON | *Secretaries of*  
W. R. BEAVER | *the Synod.*

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

14th December, 1916.