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*Penrith Land Sale.*

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AN ORDINANCE to enable the sale of certain Church land situate in Henry Street in the town of Penrith in the Colony of New South Wales and to provide for the application of the proceeds thereof.

1888

*(Assented to 13 April, 1888.)*

WHEREAS by Indenture of Conveyance dated the eighteenth day of July one thousand eight hundred and fifty one and made between Sarah Mac Henry and Alexander Fraser of the first part, the said Sarah Mac Henry and John Mac Henry of the second part and the Right Reverend William Grant then Lord Bishop of Sydney (now deceased) of the third part, the land described in the Schedule hereto was for valuable consideration conveyed unto and to the use of the said William Grant Lord Bishop of Sydney and his successors Lords Bishops of Sydney for ever but nevertheless upon trust to use and apply the said land as a site for a School and Master's Residence to be forthwith erected and built thereon the same and every future building to be erected and built thereon to be used as a School for the education of children in connection with the Church of England and for a Residence for the Master thereof. And whereas a School House was erected on the said land in conformity with the said trust but the same was removed from the said land many years ago and the said land has since remained vacant. And whereas by reason of circumstances which have occurred since the creation of the said trust it has become inexpedient to carry out or observe the particular purposes to which the said land is by such trust devoted. And whereas it is expedient that the said land should be sold and that the proceeds thereof should be applied in manner hereinafter provided. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf

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conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the "Sydney Bishopric and Church Property Act 1887" ordains, declares, directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said recited trust, it has become inexpedient to carry out or observe the particular purpose or purposes to which the said land in the Schedule hereto described is by the said trust devoted.

2. The said land shall be sold by public auction or private contract, and either in one lot or in several lots and for such price or prices and upon such terms and conditions as the Bishop of Sydney or his Commissary for the time being may deem expedient freed from such trust as aforesaid.

3. The proceeds arising from the said sale shall be applied (after payment thereof of the expenses of and incidental to this Ordinance and the said sale and the conveyance of the said land in pursuance thereof) in or towards the liquidation of the debt now due upon St. Stephen's Church of England Church and School property at Penrith aforesaid and the residue (if any) of the said proceeds shall be applied in or towards the erection of a Parsonage or Residence for the Clergyman for the time being duly appointed to officiate in the said Church.

4. Any part of the said proceeds not immediately required to be applied as aforesaid shall be deposited in the names of George Brian Besley, Joseph Daniel Single, and Willian Dent, all of Penrith aforesaid or any two of them (who, or any two of them are hereby appointed to receive the said proceeds from the purchaser or purchasers of the said land) at interest with any Joint Stock Company carrying on the business of Bankers in Sydney, and the interest arising from such shall be dealt with and applied

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in the manner hereinbefore prescribed with regard to the said proceeds.

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SCHEDULE.

All that parcel of land containing by admeasurement one acre situate in Henry Street in the town of Penrith in the parish of Castlereagh in the County of Cumberland in the Colony of New South Wales, commencing fifty feet West of the intersection of Castlereagh and Henry Streets, and bounded on the East by a line at right angles to Henry Street bearing Northerly three chains on the North by a line parallel to Henry Street bearing Westerly three chains and thirty-four links on the West by a line bearing Southerly and at right angles to Henry Street three chains and on the South by the North side of Henry Street bearing Easterly three chains and thirty-four links to the commencing corner.

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