
St John's Wilberforce Land Sale Ordinance 1970

(Reprinted under the Interpretation Ordinance 1985.)

The St John's Wilberforce Lands Sale Ordinance 1970 as amended by the St John's Wilberforce Land Sale Ordinance 1970 Amendment Ordinance 1994.

Table of Provisions

Clause	
1 Declaration of Inexpediency
2 Land in First Schedule
3 Land in Second Schedule
4 Land in Third Schedule
5 Application of Sale Proceeds
6 Citation

Long Title

An Ordinance to authorise the sale of certain land at Wilberforce and Sackville Reach in the Shire of Colo and to provide for the application of the proceeds.

Preamble

Whereas Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee" is registered as proprietor of certain land at Wilberforce comprised in Crown Grants Volume 4026 Folio 92 and Volume CXLII Folios 200, 201 and 202 more particularly described in the First Schedule hereto and is also registered as proprietor of certain land at Sackville Reach being the residue of that comprised in Crown Grant Volume CIX Folio 141 more particularly described in the Second Schedule and whereas no trusts in writing have been declared in respect of the land comprised in Crown Grant Volume 4026 Folio 92 and whereas the land comprised in Crown Grant Volume CXLII Folio 200 is the land comprised in Crown Grant Volume CXLII Folio 201 for the erection of a school house and the land comprised in Crown Grant Volume CXLII Folio 202 as a site for a dwelling 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 Wilberforce and whereas no trusts in writing have been declared in respect of the land at Sackville Reach comprised in Crown Grant Volume CIX Folio 141 but the original trustees as purchasers thereof are described therein "As Trustees for a Church of England Parsonage" and whereas all the said lands are church trust property and are situated within the provisional Parish of St John Wilberforce and whereas the full areas of the said lands are not required for the purposes of which they are now held and it is uneconomic to retain all such land and it is proposed to subdivide the same and to sell those portions described in the Second and Third Schedules and invest the net proceeds for the benefit of the Provisional Parish.

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.

Declaration of Inexpediency

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the First Schedule are held it is inexpedient to carry out and observe the same in respect of those portions thereof as are described in the Third Schedule hereto and it is expedient that such portions be sold.

Land in First Schedule

2. The Corporate Trustee is hereby authorised and empowered to subdivide the lands described in the First Schedule and to grant or reserve such easements as may be appropriate or necessary in connection therewith and to dedicate for road purposes any portion as may be necessary to such subdivision as the Corporate Trustee may think fit.

Land in Second Schedule

3. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the whole of the land described in the Second Schedule is held it is expedient to carry out and observe the same and it is expedient that the said land be now sold.

Land in Third Schedule

4. The Corporate Trustee is hereby authorised and empowered to sell the land described in the Second and Third Schedules at such time or times at such price or prices and upon such terms and conditions as it may determine freed from all trusts.

Application of Sale Proceeds

¹ 5. The proceeds arising from the sale of the said lands after paying thereout all outgoings to which such lands are subject the costs of and incidental to this Ordinance, the costs of and incidental to the said subdivision including any contribution to works required by the Metropolitan Water Sewerage and Drainage Board or other Statutory Authority and the costs of the sale or sales and transfers of the land shall be applied towards the purchase, erection and fitting out of accommodation for full-time lay workers or clergy employed by or working in the parish of Wilberforce and any remaining balance shall be invested by the Corporate Trustee and the net income arising therefrom paid to the Churchwardens of St John's Church Wilberforce for general parochial purposes.

Citation

6. This Ordinance may be cited as "St John's Wilberforce Land Sale Ordinance 1970".

First Schedule

All that piece or parcel of land situated at Wilberforce in the Shire of Colo Parish of Wilberforce County of Cook containing 1 acre 3 roods 22 perches being Portion 344 of the Parish and the whole of the land comprised in Crown Grant Volume 4026 Folio 92.

Also all that piece or parcel of land situated as aforesaid containing 3 roods 11 perches at the corner of Macquarie and Church Roads being part Section 13 and the whole of the land in Crown Grant Volume CXLII Folio 200.

Also all that piece or parcel of land situated as aforesaid containing 3 acres 1 rood 21¼ perches having a frontage to Church Road being part Section 13 and the whole of the land in Crown Grant Volume CXLII Folio 201.

Also all that piece or parcel of land situated as aforesaid containing 3 acres 1 rood 22¾ perches at the corner of Church and Clergy Roads being part Section 13 and the whole of the land in Crown Grant Volume CXLII Folio 202.

Second Schedule

All that piece or parcel of land situated at Sackville Reach on the Hawkesbury River in the Shire of Colo County of Cook originally containing 3 acres but reduced by road resumption to 2 acres 2 roods 31 perches and being the residue after such resumption of the land in Crown Grant Volume CIX Folio 141.

Third Schedule

All that parcel of land situated at Wilberforce in the Shire of Colo Parish of Wilberforce County of Cook having a frontage of about 530 links to Macquarie Road by depth of about 250 links being part of the land comprised in Crown Grants Volume 4026 Folio 92 and Volume CXLII Folio 201 Also all that parcel of land situated as aforesaid having a frontage of about 800 links to Church Road by depth of about 250 links being part of the land in Crown Grants Volume CXLII Foliols 200, 201 and 202.

Endnotes

Mark Payne
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Diocesan Secretary
7 September 1994

1. Amended by Ordinance No 36, 1994.