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*The Barker College Sale Ordinance, 1958.*

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No. 30, 1958.

AN ORDINANCE to authorise the sale of certain land belonging to Barker College and to provide for the application of the proceeds of sale.

WHEREAS by The Council of Barker College Incorporation Ordinance 1939 it was ordained directed and ruled for the purpose of managing governing or controlling the institution or organisation of Barker College of the Church of England that the persons who for the time being were the members of the unincorporated body of the Council of Barker College should be constituted a body corporate under the name of "The Council of Barker College."

AND WHEREAS the Council of Barker College (hereinafter called "the Council") is registered as proprietor of the land comprised in Certificate of Title Volume 6908 Folio 73.

AND WHEREAS the said land is held for the purposes of the said College and is Church Trust Property within the meaning of Section 4 of the Church of England Trust Property Act 1917.

AND WHEREAS the Council has erected a block of flats used as Masters' residences upon portion of the said land having a frontage to Pacific Highway.

AND WHEREAS for the purpose of inter alia erecting the said flats the said land has been mortgaged to the Australian Mutual Provident Society and (together with other lands) to the National Bank of Australasia Limited.

AND WHEREAS the Commissioner for Main Roads for the purpose of widening Pacific Highway and other purposes incidental thereto by Agreement for Sale dated 19th August 1958 made with the Council agreed to purchase ALL THAT piece or parcel of land described in the Schedule hereto for the sum of Seven hundred pounds (£700).

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AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said land it has become expedient that the said land described in the Schedule hereto being part of the land comprised in the said Certificate of Title be sold and the net proceeds applied in or towards completing the erection of the said flats or in or towards repayment of any principal moneys owing to the said Australian Mutual Provident Society or the National Bank of Australasia Limited or for one or more of these purposes.

Now the Standing Committee of the Synod of the Diocese of Sydney hereby ordains and directs as follows:—

Sydney in the name and place of the said Synod hereby ordains and directs as follows:—

1. By reason of circumstances subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient to sell the said land.

2. The Council is hereby authorised to sub-divide the said land comprised in the said Certificate of Title Volume 6908 Folio 73 and to sell the land described in the Schedule hereto to the Commissioner for Main Roads.

3. The Council shall execute all documents necessary for the purpose of carrying any such sale as aforesaid into effect.

4. Any person company corporation or institution of any kind paying any purchase money may pay the same to the Treasurer for the time being of the said Council or such other person as the said Council may by resolution appoint for and on behalf of the said Council and the receipt of the said Treasurer or such other person so appointed as aforesaid shall be a full and sufficient discharge to such person company corporation or institution paying such money.

5. The moneys arising from the sale of the said land or any part thereof shall after deducting thereout all rates and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this ordinance and the said sale and transfer of the land in pursuance thereof be applied

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by the Council in or towards the completion of the said flats or in or towards the repayment of any principal moneys owing to the said Australian Mutual Provident Society or the National Bank of Australasia Limited or for any one or more of these purposes.

6. This Ordinance may be cited as "The Barker College Sale Ordinance 1958."

THE SCHEDULE.

All that piece or parcel of land situated in the Shire of Hornsby Parish of South Colah and County of Cumberland having a frontage of about 144 feet 5½ inches to Pacific Highway with a depth of 20 feet and a splayed corner of about 15 feet at the corner of Pacific Highway and Hornsby Street being part of Lots 1 to 5 both inclusive in Plan lodged with Transfer No. A.821226 and being part of the land comprised in Certificate of Title Volume 6908 Folio 73 together with an easement for batter over that piece of the said lots having a frontage of about 135 feet to the new alignment of Pacific Highway and varying in depth from 0 to 11 feet.

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

H. GORDON S. BEGBIE,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 15th day of December, 1958.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop.

Administrator.

15/12/1958.

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