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*St. Matthew's Botany Land Sale Ordinance 1954.*

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No. 26, 1954.

AN ORDINANCE to authorise the sale of certain land situated in the Municipality of Botany and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of part of the land comprised in Certificate of Title Registered Volume 2648 Folio 120 as more particularly described in the First Schedule hereto AND WHEREAS the said land has been subdivided into five allotments and the plan of sub-division registered as a Deposited Plan No. 25336 AND WHEREAS by Declaration of Trust dated Ninth day of August One thousand nine hundred and fifteen it was declared that the Corporate Trustee and its assigns should hold the land comprised in the said Certificate of Title upon trust to permit the same to be used for a church and school in connection with the Church of England in the Parish of Botany AND WHEREAS the said land is church trust property held for the sole benefit of the Parish of St. Matthew Botany AND WHEREAS it is necessary to enlarge the church hall (known as "St. John's Hall") erected on part of the said land namely Lot 3 on the said Deposited Plan AND WHEREAS it is expedient to sell the land described in the Second Schedule hereto and to apply the net proceeds in and towards the cost of such enlargement Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. By reason of circumstances subsequent to the creation of the trusts upon which the land described in the Second Schedule hereto is held it is expedient to sell the same.

2. The land described in the Second Schedule hereto may be sold by public auction or private contract at such time or times at such price or prices together or in parcels and upon such terms and conditions as the said Corporate Trustee may deem expedient free from the Trusts aforesaid.

3. The moneys arising from the said sale or sales shall, after deducting therefrom all rates and other outgoings properly chargeable against the said land and all costs charges and expenses of this Ordinance and of the said sale or sales and transfer or transfers of the land in pursuance thereof be paid to the Church-

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wardens of the Parish of St. Matthew Botany who shall apply the same in and towards the cost of enlarging the church hall known as "St. John's Hall" and the furnishing thereof and the balance (if any) upon trust for the use benefits or purposes of the said Parish.

4. This Ordinance may be cited as "St. Matthew's Botany Land Sale Ordinance 1954."

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FIRST SCHEDULE.

All that piece or parcel of land situated in the Municipality and Parish of Botany County of Cumberland having a frontage of 198' to Brighton Street by depth through to Trevelyan Street on the north of 296' 5½" and on the south of 314' 7¼" being part of the land comprised in Certificate of Title Registered Volume 2648 Folio 120 such measurements being those disclosed by a recent survey by George H. Martin and as shown on Deposited Plan No. 25336 comprising the whole of the residue of land in the said Certificate of Title.

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SECOND SCHEDULE.

Firstly: All that piece or parcel of land having a frontage of 40' 0¼" to Trevelyan Street Botany in the Municipality of Botany by depths of 146' 2" on the north and 149' 10½" on the south being Lot 1 on D.P. 25336 and part of the land in Certificate of Title Volume 2648 Folio 120.

Secondly: All that piece or parcel of land having a frontage of 40' to Brighton Street Botany by depths of 150' 3½" on the North and 150' 3¼" on the south being Lot 2 D.P. 25336 and part of the land in Certificate of Title Volume 2648 Folio 120.

Thirdly: All that piece or parcel of land having a frontage of 40' 3¼" to Trevelyan Street Botany by depths of 160' 10" on the north and 164' 6½" on the south being Lot 4 D.P. 25336 and part of the land in Certificate of Title Volume 2648 Folio 120.

Fourthly: All that piece or parcel of land having a frontage of 40' to Brighton Street Botany by depths of 150' 2" on the north and 150' 1¼" on the south being Lot 5 D.P. 25336 and part of the land in Certificate of Title Volume 2648 Folio 120.

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

ARTHUR L. WADE,

Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of August, 1954.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop, Commissary.

1/9/1954