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*Christ Church Gladesville Land Sale Ordinance of 1946.*

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No. 7, 1946.

AN ORDINANCE to authorise the sale of certain land situate at Gladesville in the State of New South Wales vested in the Church of England Property Trust Diocese of Sydney and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS by her will bearing date the fifth day of October in the year of our Lord One thousand nine hundred and thirty-eight Elizabeth Robertson Tribe of Gladesville aforesaid Spinster gave all the rest and residue of her estate both real and personal whatsoever and wheresoever situate to her Trustees therein named upon trust to pay thereout all her just debts funeral and testamentary expenses (including all Probate Estate and Succession duties on the whole of her Estate) and to pay and transfer the balance then remaining to The Church of England Property Trust Diocese of Sydney to be held by the said Property Trust upon trust to invest the same in any of the investments for the time being authorised under The Church of England Trust Property Act 1917 and the ordinances made thereunder and to pay the income derived therefrom as and when the same is available as an increment to the stipend payable to the Rector or other the Incumbent for the time being of the Church of England Parish Church at Gladesville.

AND WHEREAS the said Elizabeth Robertson Tribe died on the 15th day of July 1941 without having altered or revoked her said will probate whereof was on the 22nd day of September 1941 duly granted by the Supreme Court of New South Wales in its Probate Jurisdiction to Francis Bindon Blood and Oswald William Robards the Executors therein named.

AND WHEREAS in pursuance of the trusts of the said recited will of the said Elizabeth Robertson Tribe deceased the freehold land comprised and described in the Schedule hereto was transferred by the said Francis Bindon Blood and Oswald William Robards to the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the Trustee).

AND WHEREAS the Trustee claims to have right title and interest to the leasehold land comprised and described in the schedule hereto.

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AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trust it has become expedient to sell the said freehold land and such right title and interest (if any) to the said leasehold land.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the aforesaid trust it is expedient to sell the said freehold land and such right title and interest (if any) to the leasehold land (all of which is hereinafter referred to as the said lands).

2. The said lands may be sold by public auction or private contract either in one lot or in several lots for cash or upon terms at such time or times at such price or prices and upon such terms and conditions as the Trustee may deem expedient free from such trusts as aforesaid.

3. The Trustee is hereby authorised and empowered to re-subdivide the said lands and for the purpose of such re-subdivision or for any purpose to grant and to form or make any roads paths drains water courses rights of way or other easements or rights thereout or in connection therewith and to grant and dedicate any land for any public purpose as the Trustee may deem expedient free from any trust whatsoever and the Trustee is hereby empowered to make execute and do all such deed or deeds and any other instrument and instruments and such acts matters measures or things as may be necessary for the carrying into effect of any sale or sales or any dealing or matter authorised by this Ordinance.

4. The moneys arising from any such sale or sales as aforesaid shall after paying thereout all rates taxes and other out-goings properly chargeable against the said lands and all costs charges and expenses of and incidental to this Ordinance and the said sale and the transfer or transfers of the said lands in pursuance thereof be held by the Trustee upon trust to invest the same in any of the investments for the time being authorised under The Church of England Trust Property Act 1917 and the ordinances made thereunder and to pay the income derived therefrom as and when the same is available as an increment to the stipend payable to the Rector or other the Incumbent for the time being of the Church of England Parish Church at Gladesville.

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5. This Ordinance may be cited as "Christ Church Gladesville Land Sale Ordinance of 1946."

THE SCHEDULE HEREBEFORE REFERRED TO.

FREEHOLD LAND.

All that piece or parcel of land having a frontage to Wharf Road Pile Street and Meriton Street Gladesville in the Municipality of Ryde Parish of Hunter's Hill and County of Cumberland being Lots 1, 2, 3, 6, 7, 8, 9, and 10 in Deposited Plan Number 201 and being the whole of the land comprised in Certificate of Title Volume 4250 Folio 136.

LEASEHOLD LAND.

All that area of 4½ perches at Parramatta River Gladesville immediately adjoining the freehold lands above described and below the high water mark of the Parramatta River as comprised and described in a certain Agreement for Lease bearing date the 2nd day of September, 1926 and made between the Sydney Harbour Trust Commissioners of the one part and Elizabeth Robertson Tribe of the other part.

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

W. G. HILLIARD, Bishop.  
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 29th day of July, 1946.

H. V. ARCHINAL,  
Diocesan Secretary.

I assent to this Ordinance.  
HOWARD SYDNEY.  
30th July, 1946.