

APPENDIX No. 51.

ORDINANCE. NORTH BONDI SALE. 6
(As Passed.)

AN ORDINANCE to authorise the sale of certain land situated at North Bondi in the Parish of Alexandria, County of Cumberland and to provide for the application of the money arising therefrom.

WHEREAS certain land situated at North Bondi in the Parish of Alexandria County of Cumberland containing an area of nineteen and one-half perches and having a frontage of fifty-two feet eight inches to the Old South Head Road by a depth of one hundred and four feet six inches along Matilda Street being the whole of the land comprised in Certificate of Title dated 27th January One thousand eight hundred and eighty Registered Volume 481 Folio 116 being Lot 24 on Deposited Plan 446 is now vested in the Church of England Property Trust Diocese of Sydney hereinafter called "the said Property Trust" AND WHEREAS the said land has since its acquisition by the said Property Trust in the year 1889 been held upon trust to permit the same to be used for the erection thereon of a Church building in connection with the Church of England at Bondi aforesaid AND WHEREAS by deed poll or declaration of trust dated the sixteenth day of May One thousand nine hundred and eighteen the said Property Trust declared that the said Property Trust did and should stand seised of interested in and registered as the proprietor of the said land upon the trust aforesaid AND WHEREAS the said land is situated within the boundaries of the Parish of Rose Bay and Vaucluse. AND WHEREAS no building has been erected on the said land AND WHEREAS the said land is unsuitable for the purpose to which by the said trust the same is devoted and by reason of circumstances subsequent to the creation of the said trust 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 conferred upon it by the constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the Church of England Trust Property Act 1917 or otherwise declares and directs as follows:—

1. By reason of circumstances subsequent to the creation of the said trust it has become inexpedient to carry out or observe the particular purpose to which the said land is by the said trust devoted and it is also inexpedient that the whole of the

proceeds of the sale thereof should be applied for the use or benefit of the Parish of Rose Bay and Vaucluse.

2. The said land may at any time hereafter be absolutely sold and disposed of freed from any trust existing in respect of the same either by public auction or by private contract for such price and subject to such stipulations or conditions as the said Property Trust may deem proper with power to the said Property Trust to buy in at any sale by auction and to rescind or vary any contract for sale and to enter into any new contract for sale of the said land and for all or any of the purposes aforesaid to execute and do all such contracts transfers assurances and things as the said Property Trust shall think fit.

3. The proceeds arising from the sale of the said land shall be paid to the said Property Trust and shall be applied by the said Property Trust, firstly, in paying the expenses of and incidental to this Ordinance and the sale and transfer of the said land in pursuance thereof secondly in re-paying to the Rev. Canon Henry Wallace Mort all moneys advanced and paid by him in connection with the said land, and the balance of the said moneys shall be applied by the said Property Trust as to one-half part thereof, in or towards payment of the purchase money of a piece of land situated at the corner of Newcastle Street and Old South Head Road in the Parish of Rose Bay and Vaucluse or in or towards the cost of the erection thereon of the School Church known as St. Paul's and as to the other half part thereof in or towards the purchase (with the approval of the Archbishop of Sydney) of a piece of land within the boundaries of the Parish of Bondi or in or towards the erection of a Church or other building thereon for the purpose of public worship to be held upon trust for the benefit of the Church of England within the Parish of Bondi.

4. Any part of the moneys arising from such sale not immediately required to be applied as aforesaid may be invested in Government or Real Securities in New South Wales or in the Commonwealth of Australia or in fixed deposits in any Bank.

5. This Ordinance shall be styled and cited as "The North Bondi Church Land Sale Ordinance of 1918."

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

E. W. MOLESWORTH,
Chairman of Committees.

We certify that this Ordinance was passed on 9th October, 1918.

E. CLAYDON { *Secretaries*
W. R. BEAVER } *of the Synod.*

I assent to this Ordinance,
JOHN CHARLES SYDNEY.

15th October, 1918.