
*St. James' Carlton (St. John's West Bexley) Declaration and
Variation of Trusts and Land Sale Ordinance 1971*

No. 55, 1971

AN ORDINANCE to declare and vary the trusts and to authorise the sale of certain land at Regent Street, Bexley and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the whole of the land comprised in Certificate of Title Volume 6558 Folio 122 more particularly described in the First Part of the Schedule hereto AND WHEREAS the said land is church trust property held for the benefit of the Parish of St. James Carlton in connection with St. John's West Bexley but no trusts in writing have been declared concerning the same AND WHEREAS it is now expedient to declare the trusts of the said land AND WHEREAS it is proposed to subdivide the said land to enable part of the said land to be sold AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that part of the said land being Lot 1 as more particularly described in the Second Part of the Schedule hereto be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney HEREBY DECLARES ORDAINS RULES AND DIRECTS as follows:—

1. The land described in the First Part of the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Parish of St. James' Carlton at St. John's West Bexley.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the land described in the Second Part of the Schedule hereto be sold.

3. The Corporate Trustee is hereby empowered to sell the said land described in the Second Part of the Schedule hereto by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as the Parish Council of the said Parish and the Corporate Trustee may determine freed from any trusts whatsoever.

4. The proceeds arising from the sale of the said land, after paying thereout the costs of and incidental to this Ordinance and of

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the subdivision and sale and transfer in pursuance thereof and all outgoings to which the said land may be subject, shall be paid to the Churchwardens of St. James' Church Carlton and invested by them in accordance with the Investment of Church Trust Property Ordinance 1944 as amended until required for the construction of additions or improvements to the building erected on Lot 2 being the residue of the said land after sale.

5. This Ordinance may be cited as "St. James' Carlton (St. John's West Bexley) Declaration and Variation of Trusts and Land Sale Ordinance 1971".

SCHEDULE

FIRST PART

ALL THAT parcel of land situate at the corner of Regent Street and Kenyon Road West Bexley in the Municipality of Rockdale Parish of St. George and County of Cumberland containing one rood and one half of a perch or thereabouts being Lot A in Plan annexed to Instrument of Transfer No. F.699071 and being the whole of the land comprised in Certificate of Title Volume 6558 Folio 122.

SECOND PART

ALL THAT parcel of land situate at Regent Street Bexley in the Municipality of Rockdale Parish of St. George County of Cumberland containing 19½ perches or thereabouts being Lot 1 in a Plan of subdivision of Certificate of Title Volume 6558 Folio 122 prepared by Mr. R. J. Scott of Messrs. Craig & Rhodes Surveyors and dated 24th September 1971.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 13th day of December, 1971.

W. GOTLEY,
Acting Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

13/12/1971.