

ST. JAMES PITT TOWN ORDINANCE 1976

No. 8 1976

AN ORDINANCE to authorise the sale of certain lands situate at Hawkesbury Street, Pitt Town, St. John's Road, Maraylya and Old Pitt Town Road, Pitt Town 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 of the lands comprised in the Schedule hereto AND WHEREAS the said lands are church trust property within the meaning of Church of England Trust Property Act 1917 and are held for the sole benefit of the Parish of St. James Pitt Town NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

1. By reason of circumstances that have arisen subsequent to the creation of the trusts upon which the lands comprised in the Schedule hereto are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said lands comprised in the Schedule hereto by public auction or private contract for such price and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts upon which the same are held and to do any such act or execute any such document as may be necessary to give effect to the provisions of this Ordinance.

3. The proceeds of the sale or disposition of the said lands after paying thereout all outgoings to which the said lands are subject shall be applied by the Corporate Trustee as follows:-

- (a) First in payment of the cost of and incidental to this Ordinance and any subdivision sale or disposition or other matter ancillary thereto including and without limiting the generality thereof, legal costs payable in respect of the

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estate of Augusta Isabel Mary Hughes deceased and rates payable to the appropriate local councils.

- 30 (b) Second towards the reimbursement of any moneys already expended in the cost of erection and completion of the church hall rectory and ancillary buildings within the Parish of St. James Pitt Town including any accrued interest on such borrowed moneys first from the Sydney Church of England Finance and Loans Board and then from any other bodies;
- 35 (c) Third towards the cost of furnishing the church hall rectory and the erection of a garage and/or storage shed at St. James Pitt Town or in reimbursement of any moneys expended for that purpose or in repayment of any moneys borrowed as above for that purpose including any accrued interest on such borrowed moneys;
- 40 (d) Fourth as to the balance (which balance is hereinafter referred to as "the capital investment") to invest the same and to apply the income therefrom from time to time in the manner following, that is to say:
- (i) as to fifteen per centum (15%) to re-invest the same by way of addition to the capital investment; and
- 45 (ii) to pay the balance to the churchwardens of St. James Church Pitt Town from time to time to be applied by them toward general parochial purposes and such extra parochial purposes within the Diocese of Sydney as may be determined by resolution of a majority of the parish council of the
- 50 said parish.

4. This Ordinance may be cited as the "St. James Pitt Town Ordinance 1976".

SCHEDULE

A. ALL THAT piece or parcel of land situate at Pitt Town in the Municipality of Windsor Parish of Pitt Town and County of Cumberland having an area of 0.405 ha. and being Lots 21 and 22 Section One Town of Vermont and being the whole of the land comprised in Conveyance

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Registered Number 667 Book 1035.

B. ALL THAT piece or parcel of land situate at Maraylya in the Shire of Baulkham Hills Parish of Nelson and County of Cumberland having an area of 1657 m² and being Lot C and part of Portion 28 respectively and being the whole of the land comprised in Certificate of Title Volume 5454 Folio 151 and Volume 5690 Folio 5.

C. ALL THAT piece or parcel of land situate at Pitt Town in the Municipality of Windsor Parish of Pitt Town and County of Cumberland having an area of 17.428ha. and being Lot 1 in Deposited Plan 544186 and being the whole of the land comprised in Certificate of Title Volume 11782 Folio 174.

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

D. Cameron

Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese on the third day of May 1976.

W. Gotley

Secretary

I ASSENT to this Ordinance

M.L. Loane

Archbishop of Sydney

3 / 5/1976