
St. John's Sutherland Land Sale, 1926

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AN ORDINANCE to authorise the sale of certain lands situated at Heathcote and Sutherland in the State of New South Wales and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS the Church of England Property Trust Diocese of Sydney hereinafter called the said Trust is registered as the proprietor of an estate in fee simple of the whole of the land comprised in Certificate of Title Vol. 1110 Fol. 89 situated in the village of Heathcote Parish of Heathcote County of Cumberland containing 1 rood 18½ perches and in the whole of the land comprised in Certificate of Title Volume 1391 Fol. 123 situated at Sutherland Parish of Sutherland County of Cumberland containing 17½ perches AND WHEREAS on each site there is a weather-board Church and on the Sutherland site there is also a weather-board Hall AND WHEREAS the said lands are in fact Church trust property though no specific trust document has been executed with regard thereto AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it is expedient to sell the said lands Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers conferred upon it by the Church of England Trust Property Act 1917 and Ordinances of the Synod appointing the Standing Committee for the purpose of exercising during the recess of the Synod the powers and functions in the said Ordinances referred to and in pursuance of the powers vested in the said Synod by the Constitutions for the Management and Good Government of the Church of England in the State of New South Wales or otherwise in the name and in the place of the said Synod declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the trusts to which they are subject it is expedient to sell the said lands described in the Schedule hereto.

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

3. The proceeds arising from the said sale or sales after payment thereof of all rates taxes and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and the said sale of sales and the conveyance of the said land in pursuance thereof shall be held upon trust to pay and apply the same as the Parish Council of the Church of St. John Sutherland with the approval of the Archbishop shall deem expedient in or towards the acquisition of other land and erecting improvements and buildings thereon within the said Parish.

4. Any part of the said purchase moneys and the accumulation of income arising therefrom in the possession of the said Trust and not immediately required to be applied as aforesaid may until such application be invested by the said Trust in any one or more of the investments following that is to say

- (a) The purchase of real estate.
- (b) Any public funds or Government Stock or Government securities bonds debentures inscribed stock or Treasury bills of or guaranteed by the Federal Government or the Government of any State in the Commonwealth of Australia.
- (c) First mortgage on real property situated within the said Commonwealth.
- (d) Stocks funds or securities in or upon which by any general order cash under the control of any Court of Equity within the said Commonwealth may from time to time be invested.
- (e) Debentures of any Harbour Trust or Board of Works within the Commonwealth.
- (f) Municipal debentures of any State Capital.
- (g) Mortgage bonds under any of the Savings Banks Acts of the Federal Government or any State within the Commonwealth.
- (h) Deposits in any Government Savings Bank within the Commonwealth.
- (i) On fixed deposit in any Bank carrying on business in the State of New South Wales.

5. Any income arising from such investments shall be paid and applied as is hereinbefore directed with regard to the capital of the said purchase money.

6. This Ordinance may be cited as "St. John's Sutherland Land Sale Ordinance 1926."

THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece of land situated near the village of Heathcote in the Parish of Heathcote County of Cumberland containing 1 rood 18½ perches being the whole of the land comprised in Certificate of Title Registered Volume 1110 Folio 89.

All that piece of land situated at Sutherland in the Parish of Sutherland County of Cumberland containing 17½ perches being the whole of the land comprised in Certificate of Title Registered Volume 1391 Folio 123.

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

J. A. I. PERRY,
Chairman of Committee.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney, this eighteenth day of May, 1926.

C. R. WALSH,
Secretary.

I assent to this Ordinance.

JOHN CHARLES WRIGHT,
Archbishop of Sydney.

2nd June, 1926.