
St. Luke's Concord (Drainage Easement) Ordinance 1969

No. 47, 1969

AN ORDINANCE to authorise the granting of an easement for storm water drainage through certain land at Concord in the Municipality of Concord.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 1753 Folio 21 more particularly described in the First Schedule hereto AND WHEREAS the said land is church trust property held for the sole benefit of the Parish of St. Luke Concord but no trusts in writing have been declared concerning the same AND WHEREAS such land forms part of the site of St. Luke's Church Concord AND WHEREAS at the request of the Parish Council of the said Parish the Council of the Municipality of Concord has agreed to construct a storm water pipe or drain through that part of such land as is more particularly described in the Second Schedule hereto at the cost and expense of the Council for the more effectively draining storm water from an adjoining street away from the rest of the church land AND WHEREAS in order to obtain the benefit of such drainage it is proposed to grant to the said Council an easement for drainage for a nominal consideration NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which that part of the land described in the Second Schedule is held it is inexpedient to carry out and observe the same to the extent to which such trusts are hereby modified.

2. The Corporate Trustee is hereby empowered to grant an easement for storm water drainage over through and under the land described in the Second Schedule hereto in favour of the Council of the Municipality of Concord upon such terms and conditions as the Corporate Trustee may think fit.

3. This Ordinance may be cited as "St. Luke's Concord (Drainage Easement) Ordinance 1969".

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FIRST SCHEDULE

All that piece or parcel of land situated at Concord in the Municipality of Concord Parish of Concord County of Cumberland having a frontage to Burton Street of 20' by depth of 330' being the whole of the land in Certificate of Title Volume 1753 Folio 21.

SECOND SCHEDULE

All that strip of land (forming part of the land in the First Schedule) 4' wide along and within the Western boundary of the land comprised in the First Schedule extending for its full length of 330'.

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 Synod of the Diocese of Sydney on the 27th day of October, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

27/10/1969.