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*St. Luke's The Oaks Land Sale Ordinance 1971*

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No. 52, 1971

AN ORDINANCE to authorise the sale of certain land situate at Russell Street, The Oaks and to provide for the application of the proceeds thereof.

WHEREAS by Conveyance dated 15th April 1948 Registered Number 689 Book 2052 the land described in the Schedule hereto was conveyed to the Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") to hold upon trust to permit the same to be used as a church parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in the Provisional District of The Oaks and Burragorang at The Oaks AND WHEREAS the said Provisional District has become the Provisional Parish of The Oaks with Oakdale and Burragorang 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 and it is expedient that the land be now sold and the proceeds applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES RULES AND ORDAINS as follows:—

1. That 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 and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such time, at such price and upon such terms and conditions as it shall think fit freed from the trusts upon which it is now held.

3. The proceeds arising from the said sale after paying thereout all outgoing to which the land may be subject, the costs of and incidental to this Ordinance and the sale and transfer pursuant thereto and any amounts owing to the Sydney Church of England Finance and Loans Board in respect of the costs of construction of a new rectory on other land held by the Corporate Trustee in Russell Street, The Oaks, shall be paid to the Churchwardens for the time being of St. Luke's The Oaks and applied by them towards the costs of erection of the said new Rectory provided that any funds not so

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required shall be invested by the said Churchwardens pursuant to the Investment of Church Trust Property Ordinance 1944 as amended and the income arising therefrom applied for such parochial purposes as are in accordance with the trusts.

4. This Ordinance may be cited as "St. Luke's The Oaks Land Sale Ordinance 1971".

**SCHEDULE**

ALL THAT piece or parcel of land containing by admeasurement one rood twenty-four and three-quarters perches be the same a little more or a little less being part of original allotments ten and eleven of Section one of the Village of Vanderville and being part of original Grant to John Wild of 2,000 acres enrolled 6th July, 1835 No. 107 P. 107 commencing at a point on the North side of Russell Street bearing eighty-nine degrees thirty-five minutes and distant one hundred and sixty-nine feet from the Northerly intersection of that Street with the Easterly side of John Street and bounded thence by fenced lines on the South by the aforesaid North side of Russell Street being a line bearing eighty-nine degrees thirty-five minutes eighty-two feet six inches thence on the East by a line bearing three degrees eighteen minutes one hundred and ninety-nine feet two and a half inches thence on the North by a line bearing one hundred and sixty-nine degrees four minutes ninety-five feet thence on the West by a line bearing one hundred and seventy-nine degrees forty-one minutes one hundred and ninety-eight feet five inches to the point of commencement being the whole of the land in Conveyance No. 689 Book 2052.

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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.