
St. Mark's Glebe Reversions Sale (Enabling)
Ordinance 1968

No. 26, 1968

AN ORDINANCE to enable the development and sale of certain land situated at Randwick in the County of Cumberland.

WHEREAS by Crown Grant bearing date the third day of June One thousand eight hundred and fifty-seven recorded and enrolled in the General Registry Office at Sydney in the Register of Grants of the United Church of England and Ireland No. IV page 57/1 the land therein mentioned known as St. Mark's Glebe was granted unto Thomas Whistler Smith, Thomas Sutcliffe Mort, John Croft, Robert Tooth and James Norton Junior as trustees for the Church of the United Church of England and Ireland AND WHEREAS the lands described in the schedule hereto form part of such lands AND WHEREAS by "The St. Mark's Glebe Trustees Acceptance Ordinance 1910" the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") was thereby requested to accept the office of Trustee of the Glebe known as St. Mark's Glebe AND WHEREAS by Deed of Consent bearing date the third day of May One thousand nine hundred and eleven Registered No. 737 Book 933 John Charles Wright Archbishop of Sydney did thereby as the Bishop of the Diocese of Sydney consent that the property mentioned in the Schedule thereto being the whole of the land comprised in the hereinbefore recited Grant and being the Glebe referred to in the hereinbefore mentioned Ordinance should thenceforth become and be vested in the Corporate Trustee its successors and assigns subject nevertheless to such encumbrances liens and interests (if any) and also subject to the trusts in the said Crown Grant expressed and contained or to so much of the same as were still subsisting undetermined and capable of taking effect AND WHEREAS by Ordinance No. 5 of 1936 known as "St. Mark's Glebe Reversions Sale Ordinance 1936" the Corporate Trustee was empowered to sell (inter alia) the lands described in the Schedule hereto which said lands form part of St. Mark's Glebe AND WHEREAS on the twenty-fourth day of June, 1963 by resolution of the Standing Committee of the Synod of the Diocese of Sydney Registered No. 469 Book 2662 the Glebe Administration Board (hereinafter called "the Board") was elected trustee (inter alia) of the lands known as St. Mark's Glebe in the place of the Corporate Trustee AND WHEREAS by virtue of the powers conferred upon the trustee of the St. Mark's Glebe by the said Ordinance No. 5 of 1936 the Board as trustee is vested with the power to sell the lands

Ordinance 1968
St. Mark's Glebe Reversions Sale (Enahling)

described in the Schedule hereto upon the terms and conditions therein mentioned AND WHEREAS by virtue of³ the powers conferred upon the trustee of the St. Mark's Glebe by the Glebe Administration Ordinance 1930 (as amended) the Board as trustee is vested with the powers provided in the said Ordinance AND WHEREAS by reason of circumstances which have now arisen it is expedient that the power of sale and other powers vested in the Board as aforesaid be confirmed and extended by the granting of the ancilliary powers as hereinafter provided NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod hereby ORDAINS AND DECLARES as follows:—

1. The powers of sale conferred by the St. Mark's Glebe Reversions Sale Ordinance 1936 and the powers conferred by the Glebe Administration Ordinance 1930 (as amended) in relation to the lands described in the Schedule hereto (hereinafter called "the said lands") and now vested in the Board are hereby confirmed and extended to include the following powers—

- (a) Power to develop the said lands either alone or jointly with other lands and for this purpose to subdivide to enter into contracts for the construction of roads, drains, culverts, bridges and the like and to dedicate roads and public gardens and recreation reserves and to grant and accept easements of all descriptions;
- (b) Power to erect buildings and other improvements on the said lands;
- (c) Power to enter into agreements appointing managers for the development and sale of the said lands and to act jointly with or in partnership with such managers or other persons or corporate bodies;
- (d) Power to appoint directors to represent the Board or any company formed to develop the said lands;
- (e) Power to take up shares in any company formed to develop the said lands;
- (f) Power to raise funds, either with or without security for the aforesaid purposes or any of them or for the purpose of sale and to grant security over the said lands and to execute and deliver such charges and mortgages relative thereto as to the Board may seem meet;
- (g) Power to transfer or convey the said lands or any portions thereof to a trustee for the Board;

*St. Mark's Glebe Reversions Sale (Enabling)
Ordinance 1968*

- (h) Power to guarantee the accounts or obligations of The Glen (Randwick) Pty. Ltd. in connection with the project contemplated in this Ordinance loans of third parties either on the Board's own account or jointly with any other person or corporation the terms and conditions of any such guarantee being at the discretion of the Board;
- (i) Power to enter into such obligations, covenants, bonds and the like either with or without security as the Board may deem necessary or incidental to the proper and due exercise of any of its powers in relation to the said lands.

In respect of any exercise by the Board of its powers of development sale and/or guarantee no person, including any purchaser mortgagee or grantee of a guarantee shall be concerned to see or inquire whether the power has been properly and regularly exercised and the title of any such person shall not be impeachable on the ground that no case had arisen to authorise the sale mortgage or guarantee as the case may be or that the power was otherwise improperly or irregularly exercised.

2. The powers hereby conferred shall in no way be deemed to restrict or limit the generality of the powers of sale vested in the Board as hereinbefore recited the powers hereby conferred being ancilliary and enabling thereto but shall be deemed to be an approval by the Standing Committee to the sale of the lands referred to in the said schedule within the meaning of clause 2 of the said St. Marks Glebe Reversions Sale Ordinance, 1936.

3. This Ordinance shall be styled and cited as the "St. Mark's Glebe Reversions Sale (Enabling) Ordinance, 1968".

SCHEDULE

All that piece or parcel of land situate in the County of Cumberland, Parish of Alexandria, being part Lot 10 Section 3 St. Mark's Glebe, being Lot 2 in Deposited Plan No. 235921 and being the whole of the land in Real Property Application No. 46133.

All that piece or parcel of land situate in the County of Cumberland, Parish of Alexandria, being lands shown as Reserve, Section 3 St. Mark's Glebe, now being Lot 1 in Deposited Plan No. 235920, and being the whole of the land in Real Property Application No. 46132.

All that piece or parcel of land situate in the County of Cumberland, Parish of Alexandria, being Lot 33 Section 3 St. Mark's Glebe.

*St. Mark's Glebe Reversions Sale (Enabling)
Ordinance 1968*

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

H. G. S. BEGBIE,

Deputy Chairman of Committees

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 23rd day of September, 1968.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

26/9/1968