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*St. Mark's South Hurstville Sale Ordinance 1958.*

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No. 15, 1958.

AN ORDINANCE to authorise the sale of certain land in King George's Road, South Hurstville and to provide for the application of the proceeds of such sale.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as the proprietor of the land comprised in Certificate of Title Volume 2936 Folio 239 more particularly described in the First Schedule hereto (hereinafter called lots 106 and 160) and whereas the said land was originally purchased by the Parish of St. George Hurstville in which it was then situated AND WHEREAS the said land is now situated in the Parish of St. Mark South Hurstville AND WHEREAS no trusts in writing have been declared concerning the same AND WHEREAS the Parish Council of the Parish of St. George Hurstville have consented to the said land being held upon trust for the Parish of St. Mark South Hurstville 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 trusts be varied as hereinafter set out AND WHEREAS the temporary church building and parish hall of St. Mark South Hurstville are erected upon part of the said land AND WHEREAS the residue of the said land is vacant land and is more particularly described in the Second Schedule hereto (hereinafter called the residue) AND WHEREAS it is expedient that the Residue be sold and the net proceeds applied in and towards the erection of a New Church upon the New Church Site more particularly described in the Third Schedule hereto.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and directs as follows:—

1. By reason of circumstances which have arisen since the creation of the trusts upon which the said Lots 106 and 160 are held it is inexpedient to carry out and observe the same and it is expedient to vary such trusts as hereinafter set out.

2. The said Lots 106 and 160 shall henceforth be held upon trust to permit the same to be used as a site for a church parsonage or Parish hall or partly for one or partly for another or oth-

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ers of such purposes in connection with the Church of England in the Parish of St. Mark South Hurstville.

3. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land in the Second Schedule is held it is inexpedient to carry out and observe the same and it is expedient that such land be sold.

4. The Corporate Trustee is hereby empowered to sell the said residue in one lot or in parcels by public auction or private contract at such time or times and for such price or prices and upon such terms and conditions as it shall think fit, freed from the trusts aforesaid.

5. The proceeds of the sale of the said land shall after deducting thereout all outgoing charges and expenses of and incidental to this Ordinance and of the sale or sales of the said land and transfer or transfers executed in pursuance thereof, be applied by the Corporate Trustee in and towards the costs of and incidental to the erection of a New Church on the said New Church Site.

6. This Ordinance may be cited as "St. Mark's South Hurstville Sale Ordinance 1958".

### FIRST SCHEDULE

All that piece or parcel of land situated in the Municipality of Kogarah Parish of St. George and County of Cumberland having a frontage of 66 feet to King George's Road by a depth of 330 feet to the Mall being Lots 106 and 160 in Deposited Plan 6202 and being the whole of the land comprised in Certificate of Title Volume 2936 Folio 239.

### SECOND SCHEDULE

All that piece or parcel of land situated as above having a frontage of 66 feet to King George's Road by a depth of 135 feet being part of Lot 106 in Deposited Plan 6202 and being part of the land in Certificate of Title Volume 2936 Folio 239.

### THIRD SCHEDULE

All that piece or parcel of land situated as above having a frontage of 76 feet 9 $\frac{1}{2}$  inches to The Mall by a depth along Gros-

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ver. or Road of 165 feet being Lot 157 in Deposited Plan 6202 and being the whole of the land in Certificate of Title Volume 3063 Folio 153.

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

H. GORDON S. BEGBIE,  
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of Synod of the Diocese of Sydney on the 29th day of September, 1958.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,  
Archbishop of Sydney.

29/9/1958.