
St. Oswald's Haberfield Land Sale Ordinance 1968

No. 37, 1968

AN ORDINANCE to authorise the sale of certain land situate at No. 8 Deakin Avenue, Haberfield and to provide for the application of the proceeds.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land comprised in Certificate of Title Volume 2058 Folio 11 more particularly described in the Schedule hereto AND WHEREAS by Declaration of Trust bearing date the 22nd April 1925 WALTER NEWMARCH of Leura (formerly of Haberfield) Clerk in Holy Orders did declare that he the said Walter Newmarch then stood and he his heirs executors administrators and assigns should at all times thereafter stand seised of and interested in the said land upon trust for the sole benefit and use of St. Oswald's Church of England at Haberfield to permit the same to be used as a parsonage for the occupation of the Minister duly licensed to officiate in the Church of England at Haberfield known as "St. Oswald's Church" so long as the same should be required for such purpose and thereafter for the sole benefit and use of the said parish AND WHEREAS erected on such land is a dwelling known as 8 Deakin Avenue Haberfield and used as the Rectory in the said Parish 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 said land described in the Schedule hereto be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows:—

1. 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 by private contract at such time and at such price and upon such terms and conditions as the Corporate Trustee may determine freed from any trust.

3. The proceeds arising from such sale shall be paid to the Churchwardens for the time being of St. Oswald's Haberfield and applied by them as follows:—

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- (a) in payment of the costs of and incidental to this Ordinance and of the sale and transfer in conformity herewith;
- (b) in discharge of the debt owing to The Commercial Banking Company of Sydney Limited in respect of the purchase money and all costs and expenses incidental to the purchase, repair and renovation of the dwelling situate at No. 6 Dickson Street Haberfield erected on land being part of Lots 253 and 254 in Deposited Plan Number 4354 and comprised in Certificate of Title Volume 2950 Folio 103.

4. This Ordinance may be cited as "St. Oswald's Haberfield Land Sale Ordinance 1968".

SCHEDULE

All that piece or parcel of land situate in the Municipality of Ashfield Parish of Concord County of Cumberland being part of Lots 292 and 293 in Deposited Plan No. 4354 having a frontage of 49' 6" to Deakin Avenue Haberfield by a depth of 135' 4 1/2" and a rear dimension of 49' 6" (all dimensions being more or less) and being the whole of the land comprised in Certificate of Title Volume 2058 Folio 11.

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 28th day of October, 1968.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

28/10/1968.