

*St. Paul's Burwood Sale Ordinance of 1938.*

No. 12, 1938.

AN ORDINANCE to authorise the sale of certain land at  
Wentworth Road Burwood and to provide for the  
application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney hereinafter called "the said Trust" is registered as proprietor of a parcel of land situated at Wentworth Road Burwood described in the First Schedule hereto and being the whole of the land contained in Conveyance Registered No. 161 Book 839 AND WHEREAS the said land is held by the said Trust Upon Trust for the erection and maintenance thereon of a Church School House Parish Hall and Men's Institute in connection with the Church of St. Paul at Burwood and to be subject to the Regulations (so far as they may be applicable) contained in the "Sydney Church Ordinance" or in any other Ordinance to be passed by the Synod of the Diocese of Sydney altering or modifying the said first mentioned Ordinance AND WHEREAS Robert George Priddle Arthur John Cozens Elias Outram Anderson and Henry Sydney Parnell Storey (hereinafter designated "the Trustees") are registered as proprietors of a parcel of land situated at Burwood Road Burwood described in the Second Schedule hereto and being the whole of the land contained in Conveyance Registered No. 39 Book 142 AND WHEREAS the lastly mentioned land and schoolhouse erected thereon are held by the Trustees Upon Trust inter alia to permit the same to be used for a Sunday School Bible Class or parochial meetings in connection with the Church of St. Paul Burwood Heights and for such other purposes such as concerts lectures and meetings as the said Trustees should think fit AND WHEREAS it is expedient to vest the said lastly mentioned land in the said trust AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said firstly mentioned land it has become expedient to sell the same Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains and declares as follows:—

1. That by reason of circumstances subsequent to the creation of the trusts of the said land it is expedient to sell the same.

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2. The land described in the First Schedule hereto and/or buildings may be sold by the said Trust either by public auction or private contract together or in lots for cash or on credit and at such price or prices and upon such terms and conditions as the said Trust may determine with power to vary or rescind any contract for sale.

3. The Synod hereby consents to the said land described in the Second Schedule hereto being vested and the same is hereby vested in the said Trust.

4. The purchase money to arise from any sale or sales of the said land or any part or parts thereof and/or buildings shall be paid to the said Trust and so much thereof as shall be required for such purposes shall be applied by the said Trust in the payment of all outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and all costs charges and expenses incidental to the bringing of the said land under the provisions of the Real Property Act 1900 and of and incidental to any sale or sales of the said land or any part or parts thereof including the said buildings and the balance of the said purchase money shall be paid to the Churchwardens for the time being of St. Paul's Burwood and be applied by them in and towards the rebuilding of the Parish Hall of St. Paul's Burwood on land comprised in the Second Schedule hereto.

5. Pending such application the net proceeds arising from any such sale or sales may be invested by the said Trust in one or more of the investments following that is to say:—

- (a) Investments for the time being allowed by the law of any of the States of the Commonwealth of Australia for the investment of trust funds.
- (b) The purchase of real estate within the Commonwealth.
- (c) Fixed deposit in any Bank carrying on business within the Commonwealth.
- (d) Debentures of any Harbour Trust or Board of Works within the Commonwealth.
- (e) Municipal Debentures of any State Capital.

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- (f) Mortgage bonds under any of the Savings Banks Acts of the Federal Government or any State within the Commonwealth.
- (g) Deposits in any Government Savings Bank within the Commonwealth.

And the said Trust may from time to time vary or release any of such investments.

6. This Ordinance may be cited as "St. Paul's Burwood Sale Ordinance of 1938."

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FIRST SCHEDULE REFERRED TO.

ALL THAT piece or parcel of land situated in the Borough of Burwood in the Parish of Concord County of Cumberland be the hereinafter mentioned several dimensions a little more or less containing by admeasurement one rood fifteen perches more or less and comprising the whole of Lot Six and part of Lots Five and Seven Section Four of Salamon's Subdivision of part of the Burwood Estate Commencing on the Western building line of Spring Street at a point distant Northerly four hundred and one feet eight and one-half inches from the intersection of the said Western building line of Spring Street with the Northern line of Hornsey Street (late Condor Place) and bounded thence on the East by part of the said Western building line of Spring Street bearing Northerly one hundred and six feet thence on the North by a fenced line dividing it from the other part of Lot Five aforesaid bearing Westerly one hundred and forty-three feet six inches to the Eastern building line of Wentworth Street (formerly Drivers Road) thence on the West by part of the said Eastern building line of Wentworth Street bearing Southerly one hundred and three feet nine inches thence on the South by a fixed line dividing it from the other part of Lot Seven aforesaid bearing Easterly one hundred and forty-three feet eleven inches to the point of commencement.

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SECOND SCHEDULE REFERRED TO.

ALL THAT parcel of land being Lot Three of Section H of the Cheltenham Estate at Burwood near Sydney Commencing on

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the West side of the Burwood Road at the corner of a lot sold to one Bartlett and now the property of and in the occupation of one Saunders bounded by the Burwood Road bearing Southerly sixty-six feet on the South by a line separating it from Lot Four bearing Westerly to Mr. Howden's fence one hundred and seventy feet or thereabouts on the West by that fence bearing Northerly sixty-six feet on the North by a line dividing it from Bartlett's now Saunders' fence bearing Easterly one hundred and seventy feet to the commencing point.

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

W. J. G. MANN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this nineteenth day of December, 1938.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

C. VENN PILCHER,

Bishop Coadjutor, Commissary.

22nd December, 1938.