

No. 10, 1956.

AN ORDINANCE to authorise the sale of certain land at Burrawang in the Parish of Yarrunga County of Camden and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is seised of an estate in fee simple in the land described in the Schedule hereto upon trust for the Church of England at Burrawang in the Parish of Wingecarribee AND WHEREAS the said land was acquired by the Corporate Trustee by virtue of a devise contained in the Will and Codicil of Jane Vance late of Burrawang Widow AND WHEREAS the Church at Burrawang in the said Parish is known as St. David's Burrawang AND WHEREAS the said land in church trust property held for the sole benefit of the said church of St. David AND WHEREAS since the date when the Corporate Trustee became entitled to the said land by virtue of the said recited devise there has accrued net rentals therefrom amounting to One hundred and twenty seven pounds eight shillings and three pence (£127 8s. 3d.) but the land is now vacant AND WHEREAS the taxed costs of a certain Suit in Equity No. 734 of 1954 to determine the true construction of the Will of the said Jane Vance amount to One hundred and forty seven pounds six shillings and two pence (£147 6s. 2d.) which are payable out of the Estate of the said Jane Vance (being the land described in the said Schedule) AND WHEREAS further costs of and incidental to the Grant of Letters of Administration de bonis non of the said Estate are also payable out of the said estate and amount to the sum of Forty eight pounds three shillings and six pence (£48 3s. 6d.) AND WHEREAS the costs of and incidental to the Conveyance of the said land to the Corporate Trustee in pursuance of the said devise amount to Twenty four pounds five shillings (£24 5s.) AND WHEREAS the said rents have been applied by the Administrator of the said estate towards the said costs leaving a balance of Ninety two pounds six shillings and five pence (£92 6s. 5d.) still due and owing AND WHEREAS it is expedient to sell the said land to provide for the payment of the said costs and to invest the net proceeds as hereinafter set out for the benefit of the said Church 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:—

---

*Wingecarribee (St. David's Burrawang) Sale Ordinance 1956.*

---

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is expedient that the said land be sold.

2. The land described in the said Schedule may be sold by public auction or private contract in one or more parcels at such time or times for such price or prices and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts aforesaid.

3. The moneys arising from the said sale or sales shall after deducting thereout all rates and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and the said sale or sales and the conveyance or conveyances of the land in pursuance thereof be applied as follows, namely:—

In payment of the balance owing in respect of the costs and disbursements of the said recited Equity Suit and Grant of Letters of Administration and the costs and disbursements of the Conveyance of the said land to the Corporate Trustee and subject thereto the balance shall be invested by the Corporate Trustee in accordance with the provisions of the "Investment of Church Trust Property Ordinance 1944" or any Ordinance amending or taking the place of the same and the net income arising from such investment paid to the Churchwardens for the time being of St. David's Church Burrawang for general church purposes.

4. This Ordinance may be cited as "Wingecarribee (St. David's Burrawang) Sale Ordinance 1956."

---

SCHEDULE.

All that piece or parcel of land situate and being in the County of Camden and State aforesaid (and being a portion of the two hundred and thirty seven acres two roods granted to John Staggs by Grant from the Crown dated the sixteenth day of February One thousand eight hundred and fifty six) commencing at a point distant thirty three chains from the south west corner of Staggs Two hundred and thirty seven acres Grant and bounded on the north by a part of the south boundary of that land being a line bearing East forty six chains thirty three links on the east by a line bearing south thirty one chains to a road one chain wide separating it from a measured portion of one hundred and sixty acres, on the south by the northern side of that Road being a line bearing west forty six chains thirty three links and on the

west by a line dividing this land from other portion of the said two hundred and thirty seven acres two roods sold to Thomas William Henry Warren bearing north thirty one chains to the point of commencement (EXCEPTING out of this land the Government Road reserved in the Government Grant AND ALSO EXCEPTING out of this land ALL THAT piece or parcel thereof situate and being to the north east of the said reserved road containing about fifteen acres more or less and sold by the said Henry Staggs to Charles Augustus Moule or Mould) and which land is by a more recent description described as follows:—

All that parcel of land containing about 114½ acres situated near Burrawang in the Parish of Yarrunga County of Camden and State of New South Wales being part of 237 acres 2 roods granted to John Staggs 16th February, 1856, commencing at the south eastern corner of John Staggs said Grant (Portion 340 Ph.) bounded thence on the east by part of the eastern boundary of Portion 340 bearing North 429 9/10 links to its intersection with the south western side of the public road 100 links wide from Bong Bong to Cedar Mountain and separating the subject land from that other part of Portion 340 now comprised in R.P.A. 25565 and from St. David's Church of England bounded thence towards the north east by the south western side of that road being lines bearing and distant in succession 316 degrees 58 minutes 1064 3/10 lks. 312 degrees 42 minutes 430 1/10 lks. 349 degrees 20 minutes 749 2/10 lks. 4 degrees 10 minutes 523 8/10 lks. and again by a line bearing 4 degrees 10 minutes 242 7/10 lks. to the southern boundary of John Staggs other Grant of 237 acres (Portion 341 Ph.) bounded thence on the north by part of the southern boundary of Portion 341 bearing West 3494 links to the land comprised in R.P.A. 1866 bounded thence towards the north west by part of the south eastern boundary of the land in that Application bearing 189 degrees 213 links to its south eastern corner bounded thence towards the south by the northern boundary of that part of Portion 340 sold to Warren bearing 89 degrees 10 minutes 126 links to the north east corner of Warren's purchase bounded thence towards the west by the eastern boundary of Warren's purchase bearing 181 degrees 30 minutes 2792 links to the southern boundary of Portion 340 bounded thence towards the south by part of that boundary of that Portion bearing East 4600 links to the point of commencement by the said several dimensions all a little more or less.

---

---

*Wingecarribee (St. David's Burrawang) Sale Ordinance 1956.*

---

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

W. G. HILLIARD, Bishop.

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 7th day of May, 1956.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

12/5/1956.