
All Saints' West Manly Sale Ordinance of 1948.

No. 1, 1948.

AN ORDINANCE to authorise the sale of certain land situated at Balgowlah in the Parochial District of West Manly and to provide for the application of the proceeds of such sale.

WHEREAS certain land hereinafter called the "old Church site," being the whole of the land comprised in Certificate of Title Registered Volume 4360, Folio 66, and more fully described in the first Schedule hereto, is vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees) as Church Trust Property.

AND WHEREAS by reason of circumstances subsequent to the creation of the trusts aforesaid it is expedient to sell the "old Church site."

AND WHEREAS certain land (hereinafter called the "new Church site") and more particularly described in the Second Schedule hereto is vested in Basil Bennett, John Arthur Beaver and Ronald Mann, upon trust for the benefit of the members of the Church of England in the Parochial District of Balgowlah, and part thereof is mortgaged. Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. By reason of circumstances subsequent to the creation of the trusts it has become expedient to sell the "old Church site."

2. The "old Church site" may be sold either by public auction or private contract at such price and upon such terms and conditions as the said Corporate Trustees may deem expedient freed from the trusts upon and for which such land is now held.

3. The proceeds of such sale shall be applied firstly in payment of the costs and expenses of and incidental to this ordinance and the transfer of the said land, and secondly in payment of the balance due on the "old Church site" to the Sydney Church Endowment Fund, and thirdly in liquidation wholly or partly of the existing Mortgage on part of the new Church site situate at Boyle Street, Balgowlah known as Lot A described in the Second Schedule hereto and the balance if any shall be paid to and

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applied by the Churchwardens as parochial church funds within the meaning of the Sydney Church Ordinance of 1912 or any Ordinance amending or taking the place of the same.

4. This Ordinance may be cited as the "All Saints' West Manly Sale Ordinance of 1948."

FIRST SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate Balgowlah in the Parochial District of West Manly, Municipality of Manly, Parish of Manly Cove and County of Cumberland, being Lot 7 in Deposited Plan No. 5203 and being the whole of the land in Certificate of Title Volume 4360 Folio 66, having a frontage of 50 ft. to Condamine Street, Balgowlah, by a depth of 263 ft. 10 inches or thereabouts.

SECOND SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land being Lot A on Plan annexed to Transfer D. 175964 containing 1 rood $\frac{3}{4}$ perches situate corner Sydney Road and Boyle Street, Balgowlah in the Municipality of Manly Parish of Manly Cove, County of Cumberland, and being the whole of the land comprised in Certificate of Title Volume 5368, Folio 202.

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

A. B. KERRIGAN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 23rd day of February, 1948.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

C. VENN PILCHER,

Bishop, Commissary.

24th February, 1948.