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*Beecroft Land Sale.*

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5/1905

AN ORDINANCE to authorise the sale of the lands containing two roods and twelve perches or thereabouts situate at the intersection of Beecroft Parade and Hannah Street in the Township of Beecroft being allotment number five of section number five of that Township and upon part of which land the Church of Saint John Beecroft is erected and to provide for the application of the proceeds thereof.

*(Assented to 25 August, 1905.)*

WHEREAS under and by virtue of a Crown Grant under the Real Property Act dated the thirty-first day of August one thousand eight hundred and eighty-eight registered volume 899 folio 57 and also of a certain Declaration of Trust bearing date the twenty-third day of November one thousand eight hundred and ninety-three lodged with the Registrar-General and numbered 3047 All that piece of land containing two roods and twelve perches situated in the County of Cumberland Parish of Field-of-Mars at the Field-of-Mars near Beecroft Platform and being allotment number five section number five of Beecroft Township and which is more particularly described in the first Schedule hereto is now vested in Benjamin Richard Gelling and Joseph Grant both of Beecroft gentlemen and Charles Churchill Tucker of Sydney merchant as registered proprietors of an estate in fee simple upon trust for the erection and maintenance thereon of a building to be used for the purpose of Divine Worship according to the use of the Church of England and for a School House in connection therewith. And whereas the Church known as "Saint John's" Beecroft has been erected and maintained on the said land described in the first Schedule hereto and hereinafter referred to as the old Church site in conformity with the said trust. And whereas the said Church has been licensed as a Church

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in connection with the Church of England. And whereas the said old Church site has become unsuitable as a site for a Church by reason of its proximity to the Beecroft Railway Station the increase of traffic thereat and its limited area and is more suitable for a business site. And whereas a portion of the said old Church site is somewhat precipitous in incline so that the erection of a substantial edifice thereon would require foundations of a considerable height and at considerably more expense than would be required on a more level site. And whereas the piece of land particularly described in the second Schedule hereto (hereinafter referred to as the new Church site) more suitable for a Church site being situated further from the Beecroft Railway Station and from the business centre of Beecroft and containing a larger area of land has been secured. And whereas it is proposed to remove the present building on the said old Church site and to erect the same on the new Church site already purchased as aforesaid pending the erection of a more substantial edifice on such new site. And whereas it is expedient that the said old Church site should be sold and the proceeds applied in or towards the erection of a more substantial edifice on the new Church site. Now therefore the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

1. That by reason of circumstances which have occurred since the creation of the said trust it has become inexpedient to carry out or observe the purpose to which the said old Church site being the land par-

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ticularly described in the first Schedule hereto is by such trust devoted.

2. That the said Church building of Saint John's Beecroft may be removed from the old Church site and re-erected upon the new Church site.

3. That the said old Church site being the land described in the first Schedule hereto may be sold by public auction or private contract and either in one lot or in several lots at such price or prices and upon such terms and conditions as the Trustees thereof with the consent of the Bishop of Sydney may deem expedient freed from such trust as aforesaid.

4. That the purchase money arising from the said sale or sales shall be paid to the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the Corporate Trustees) and shall be applied by the Corporate Trustees in or towards the expense of erecting on such new Church site a more substantial and commodious Church building of Brick or Stone according to plans and specification to be approved by the Bishop of Sydney in place of or in addition to the said building so to be removed or re-erected as aforesaid as soon as the said new Church site shall have been vested in the said Corporate Trustees.

5. Any part of the said purchase money not immediately required to be applied as aforesaid may be invested by the said Corporate Trustees in any Public Funds or Government Stock or Government securities or on mortgage of freehold properties in any part of New South Wales and pending such investment may be deposited at interest with the Savings Bank of New South Wales or with any Government Savings Bank or with any Joint Stock Company carrying on the business of Bankers in Sydney and the income arising from any such investment shall be accumulated and all such accumulation shall follow the destination of the original fund.

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6. This Ordinance shall be styled and cited as the "Saint John's Beecroft Ordinance of 1905."

THE FIRST SCHEDULE.

All that piece or parcel of land containing two roods and twelve perches situate in the County of Cumberland Parish of Field-of-Mars at the Field-of-Mars near Beecroft Platform being allotment number five of section number five of Beecroft Township commencing on the South Eastern side of Hannah Street at the intersection with the North Eastern side of Beecroft Parade and bounded thence on North West by Hannah Street bearing North seventy degrees five minutes East three hundred and eighty-four feet to Railway Crescent on the East by Railway Crescent bearing South thirteen degrees fifty minutes West eighty-four feet nine inches and one-half of an inch on the South-East by the North Western boundary of allotment four bearing South seventy degrees five minutes West three hundred and twenty-eight feet three inches to Beecroft Parade aforesaid and on the South West by Beecroft Parade bearing North twenty-six degrees fifty-five minutes West seventy-one feet to the point of commencement and being the whole of the land comprised in Crown Grant dated thirty-first August one thousand eight hundred and eighty-eight registered volume 899 folio 57.

THE SECOND SCHEDULE.

All that piece of land situated near Beecroft Platform in the Parish of the Field-of-Mars and County of Cumberland containing three roods twenty-eight perches or thereabouts being allotments seven and eight of section seven delineated in the public map of the said Parish deposited in the Department of Lands and being the whole of the land comprised in the Certificate of Title dated the twenty-ninth day of May one thousand nine hundred and two and registered volume 1407 folio 201.