

Burrawang Rectory Sale.

2/1914

AN ORDINANCE to authorise the sale of land situate at Burrawang in the Parish of Wingecarribee County of Camden and more particularly described in the Schedule hereto and to provide for the application of the proceeds thereof.

WHEREAS by an Indenture of Conveyance dated the first day of April 1875 registered No. 126 Book 151 and made between Anthony Lax Blenkinsop of the first part Alfred Atten Dunnicliff the said Anthony Lax Blenkinsop, John Thomas Hayter Thomas John Moses and James Cullen (therein and hereinafter called Trustees) of the second part and Robert Foster of the third part A.D. THAT piece of land at Burrawang in the Ecclesiastical Parish of Wingecarribee described in the Schedule hereto was granted and released unto the said Robert Foster and his heirs to the use of the said Trustees their heirs successors and assigns forever but nevertheless upon the trusts and to and for the ends intents and purposes and with under and subject to the powers provisoes declarations and agreements hereinafter expressed and declared concerning the same that is to say UPON TRUST as a site for the erection thereon of a Minister's or Clergyman's dwelling of the United Church of England and Ireland AND UPON FURTHER TRUST that the said Trustees or other the Trustees or Trustee for the time being acting in the execution of the trusts of these presents should at all times thereafter permit and suffer the said land and premises with the messuages or dwelling house proposed to be erected on the said land to be used occupied and enjoyed as the residence of the Minister or Clergyman licensed to officiate for the time being of the Church or congregation of Protestants denominated the United Church of England and Ireland at Burrawang aforesaid so long only as he should be Minister or Clergyman of the Burrawang Church aforesaid and licensed to officiate thereat and should ordinarily officiate in the aforesaid Church PROVIDED THAT if the said Minister or Clergyman should not reside in and occupy the said land messuage and dwelling house so proposed to be erected on the said land it should be lawful for the Trustees or Trustee for the time

Burrawang Rectory Sale.

being of those presents in their or his discretion to permit the said Minister or Clergyman for the time being as aforesaid to receive and take the rents and profits of the said lands messuages dwelling house, hereditaments and premises for his own use and benefit in lieu and stead of such occupation and residence and it was further agreed and declared that it should be lawful for the said Trustees or other the Trustees or Trustee for the time being thereof for the purposes of the aforesaid trust to sell and dispose of the said parcel of land and hereditaments thereby assured or expressed and intended so to be or any part or parts thereof and the moneys arising from any such sale or sales should be invested in the purchase of other lands and hereditaments upon and for such and the same ends intents and purposes or otherwise as the said Trustees or other the Trustees or Trustee for the time being thereof their heirs successors or assigns should seem necessary AND WHEREAS by reason of the rectory or dwelling house on the land described in the Schedule hereto being far distant from the centre of the population of the Parish it has been desired to erect another residence in a more suitable position at Robertson in the said parish AND WHEREAS it has become inexpedient to carry out or observe the particular purpose to which the said land described in the Schedule hereto is by the said trust devoted AND WHEREAS it is expedient that the said land should be sold and the proceeds of such sale or sales applied in manner hereinafter provided 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" or otherwise ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said trusts it has become inexpedient to carry out or observe the particular purposes to which the said land was by the said trusts devoted.

2. The land described in the Schedule hereto may be sold by public auction or private contract either in one lot or in several lots at such price or prices and upon such terms and

Burrawang Rectory Sale.

conditions as the Archbishop of Sydney may deem expedient freed from any trust whatsoever.

3. The purchase money arising from the said sale or sales shall be paid to the said Church of England Property Trust Diocese of Sydney and (after payment thereof of the expenses of and incidental to this Ordinance and the said sale or sales and the conveyance of the said land in pursuance thereof) shall be applied firstly in repaying to the Church Buildings Loan Fund the monies now owing by the Parish and secondly in or towards the expenses incurred or to be incurred in erecting on portion of the land adjoining St. John's Church Robertson a residence for the Minister duly licensed to officiate in the Ecclesiastical Parish of Wingecarribee.

4. Any part of the said purchase money not immediately required to be applied as aforesaid may be invested by the said Church of England Property Trust Diocese of Sydney in any stocks funds or securities of or guaranteed by the Government of the Commonwealth of Australia or of or guaranteed by the Government of any of the States in the said Commonwealth or on mortgage of freehold properties in New South Wales with power from time to time to vary any such investments for any other or others of them and pending such investments may be deposited at interest with any Government Savings Bank or with any Joint Stock Company carrying on the business of bankers in Sydney and the annual income arising from any such investment shall be accumulated and all such accumulation shall follow the distribution of the original fund.

5. This Ordinance shall be styled and cited as the "Saint David's Burrawang Rectory Sale Ordinance of 1914."

THE SCHEDULE REFERRED TO.

All that piece of land (part of sixty nine acres and three roods) granted to James Gibson Senior by Crown Grant dated the fifteenth day of July one thousand eight hundred and sixty-

Burrawang Rectory Sale.

one situated on the Cedar Mountain Road in the County of Camden Colony of New South Wales containing three roods or thereabouts commencing on the eastern side of the Cedar Mountain Road at a point bearing northerly and distant four chains twenty-four links from its intersection with the Old Kiama Road and bounded on the south by a line bearing easterly two chains fifty links on the east by a line bearing northerly three chains on the north by a line bearing westerly two chains fifty links to the Cedar Mountain Road aforesaid and on the west by that road bearing southerly three chains to the point of commencement be the said dimensions all a little more or less.

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

E. W. MOLESWORTH,
Chairman of Committees.

We certify that this Ordinance was passed on 30th September, 1914.

E. CLAYDON } *Secretaries of*
W. R. BEAVER } *the Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

6th October, 1914.