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*Campbelltown Land Sale.*

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8/1915

AN ORDINANCE to authorise the sale of land situate at Cordeaux Lindsey and Broughton Streets Campbelltown Parish of St. Peter County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS by virtue of Crown Grant under the hand of Sir George Gipps bearing date the thirtieth day of January One thousand eight hundred and forty-three the land described in the Schedule hereto was (*inter alia*) granted unto the Right Reverend William Grant Broughton Bishop of Australia or the Bishop of Australia for the time being Francis Allman the Elder and Robert Jenkins UPON TRUST for the appropriation thereof as the site of a dwelling house garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland as by law established erected at Campbelltown and known as St. Peter's AND WHEREAS by Deed of Consent bearing date the thirty-first day of December One thousand eight hundred and eighty-three under the hands and seals of the Trustees for the time being of the said land namely William Fowler James Paton and William Fieldhouse the said land became vested in the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the said Trustee) Upon the trusts declared in the said recited Crown Grant AND WHEREAS it has become inexpedient to carry out or observe the particular purpose or purposes to which the said land is by the said recited Trust devoted AND WHEREAS it is expedient that the said land should be sold and the proceeds of such sale should be 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 ordains declares rules and directs as follows:—

1. By reason of circumstances which have occurred since the creation of the said recited trust it has become inexpedient to carry out or observe the particular purpose or purposes to which the land described in the Schedules hereto is by the said trust devoted.

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2. Subject to the provisos hereinafter contained the land described in the First and Second Schedules hereto may at any time hereafter be sold freed from any trust existing in respect of the same either in one lot or in parcels by public auction or private contract at such price or prices and subject to any stipulations or conditions as to title or otherwise as may be deemed proper and with power for the said Trustee to buy in at any sale and to enter into any new contract for the sale of such land and for any of the purposes aforesaid to execute and do all such deeds assurances and things as the said Trustee shall think fit. Provided always that the land described in the Second Schedule hereto shall not be sold until the expiration of five years from the date of the passing of this Ordinance and until the land described in the First Schedule hereto (excepting such part or parts thereof as may be set apart or reserved for the purpose of streets or lanes) shall have been sold and for the purpose of this Ordinance such last mentioned land shall be deemed to have been sold so soon as a contract or contracts for the sale thereof either in one lot or in parcels shall have been entered into. Provided further and it is hereby declared that upon the sale of the land comprised in the Second Schedule hereto or any part thereof the Purchaser or Purchasers shall not be bound or concerned to see or enquire whether the whole of the land comprised in the First Schedule hereto has been sold or otherwise as to the regularity or propriety of any sale or sales thereof and notwithstanding any irregularity or impropriety any sale or sales of the land comprised in the Second Schedule hereto or any part thereof shall as regards the safety and protection of the purchaser or purchasers thereof be deemed to be within the aforesaid power of sale and be valid and effectual accordingly.

3. The said Trustee is hereby authorised to lay out form and dedicate any roads streets or lanes upon or through the said land and for such purpose to expend all such moneys as it may think necessary or proper.

4. The proceeds of any sale or sales of the said land or any part or parts thereof shall be paid to the said Trustee and such proceeds shall be applied in the first place in or towards the payment thereof of the expenses of and incidental to this Ordinance and the said sale or sales and the conveyance or transfer

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of the said land in pursuance thereof and of the laying out formation and dedication of any such roads streets or lanes as aforesaid and of any costs charges or expenses which may be incurred in connection with or which may be incidental to any application to bring the said land under the provisions of the Real Property Act 1900.

5. Any part of the said purchase money not required to be applied as aforesaid may be invested by the said Trustee in any stocks funds or securities of or guaranteed by the Commonwealth of Australia or of any of the States of the said Commonwealth or upon the purchase of freehold properties in New South Wales or upon the security of mortgages over such properties or in the erection of any building or buildings on any land held upon trust for the Church of England at Campbelltown aforesaid with power from time to time to vary and transpose any such investment for any other or others of them and pending any such investment may be deposited with any Savings Bank or any Joint Stock Company carrying on the business of Bankers in New South Wales.

6. The income arising from such investments shall be paid by the said Trustee to the body empowered under the provisions of the "Sydney Church Ordinance 1912" or any Ordinance amending or taking the place of the same to control funds and property of the said Parish of St. Peter Campbelltown to be applied by them for such general purposes of the said Church or Parish as the said authority may think proper.

7. This Ordinance shall be styled and cited as the "St. Peter's Campbelltown Land Sale Ordinance of 1915."

#### FIRST SCHEDULE.

All that piece or parcel of land situated in the town of Campbelltown Parish of St. Peter County of Cumberland containing an area of about four acres three roods being part of fifteen acres three roods originally granted as a site of a dwelling house garden and appurtenances for the Clergyman appointed to officiate at St. Peter's Church Campbelltown commencing at the intersection of the North-western side of Lindsey Street with the North-eastern side of Cordeaux Street and bounded thence by that side of that Street North-westerly seven chains and fifty-

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six links to the South-east corner of the School land thence by part of the Eastern boundary of that School land bearing North-easterly six chains and thirty links thence on the North-east by a line parallel to Cordeaux Street aforesaid bearing North-easterly seven chains and fifty-six links to Lindsey Street aforesaid and thence by that Street South-westerly six chains and thirty links to the point of commencement.

## SECOND SCHEDULE.

All that piece or parcel of land situate in the town of Campbelltown Parish of St. Peter County of Cumberland containing an area of four acres three roods being part of fifteen acres three roods originally granted as a site of a dwelling house garden and appurtenances for the Clergyman appointed to officiate at St. Peter's Church Campbelltown commencing at the intersection of the South-western side of Broughton Street with the North-western side of Lindsey Street and bounded thence by that Street South-westerly six chains and thirty links to the North-east corner of the four acres three roods described in the First Schedule hereto thence by the North-eastern boundary of that four acres and three roods bearing North-westerly for seven chains and fifty-six links to the School land thence by part of the Eastern boundary of that land and its North-easterly prolongation to Broughton Street aforesaid and thence by Broughton Street North-easterly seven chains and fifty-six links to the point of commencement.

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 9th September, 1915.

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

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

23rd September, 1915.