
St. Barnabas' Fairfield Land Sale Ordinance 1964

No. 20, 1964.

AN ORDINANCE to authorise the sale of certain land at Fairfield West in the Municipality of Fairfield and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificates of Title Volume 4367 Folio 76 and Volume 7708 Folio 200 more particularly described in the Schedule hereto AND WHEREAS by Declaration of Trust dated 14th February 1930 the Corporate Trustee declared that it held the land comprised in Certificate of Title Volume 4367 Folio 76 upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of Smithfield with Fairfield at Fairfield AND WHEREAS the said land is now situated in the Parish of St. Barnabas Fairfield and is vacant AND WHEREAS the land comprised in Certificate of Title Volume 7708 Folio 200 is used and occupied by the Church Hall known as All Saints' Fairfield West in the said Parish but no trusts in writing have been declared concerning the same AND WHEREAS the said lands are Church Trust Property held for the sole benefit of the Parish of St. Barnabas Fairfield AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said parcels of land are held it is inexpedient to carry out such trusts and it is expedient that the land be sold and the net proceeds applied in the acquisition of another site for a church or church hall at Fairfield West NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND RULES as follows:-

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 inexpedient to carry out and observe the same and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said land together or in parcels by public auction or private contract at such time or times at such price or prices and upon such terms and conditions as it may think fit freed from the trusts upon which it is now held PROVIDED THAT the building

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known as "All Saints" erected on the land firstly described in the said Schedule may at the request of the Churchwardens of St. Barnabas' Fairfield be excluded from any such sale and removed to another site as may be determined.

3. The proceeds arising from the said sale shall after paying thereout all outgoings to which the land is subject and the costs of and incidental to this Ordinance and of the sale and transfer or transfers in pursuance thereof be applied towards the purchase of another site at Fairfield West in the Parish of St. Barnabas Fairfield for a Church or Church Hall and towards the costs of removing and re-erecting on such site the building known as "All Saints" now erected on the land firstly described in the Schedule.

4. This Ordinance may be cited as "St. Barnabas' Fairfield Land Sale Ordinance 1964."

SCHEDULE

FIRSTLY ALL THAT piece or parcel of land situated at Fairfield West in the Municipality of Fairfield Parish of St. Luke County of Cumberland having a frontage to Eustace Street of 45' 7½" being Lot B in Plan annexed to Transfer No. G734434 and the whole of that comprised in Certificate of Title Volume 7708 Folio 200.

SECONDLY ALL THAT piece or parcel of land situated as aforesaid having a frontage of 100 and 7/10ths links to Palmerston Road by depth of 100 links being part of Lot 1 D.P. 16157 and the whole of the land comprised in Certificate of Title Volume 4367 Folio 76.

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

H. G. S. BEGBIE,
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of July 1964.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

27/7/1964. HUGH SYDNEY,
Archbishop of Sydney.