
*St. Clement's Marrickville Vesting and Land Sale
Ordinance 1963*

No. 24, 1963.

AN ORDINANCE to vest certain land in Victoria Road West Marrickville in Church of England Property Trust Diocese of Sydney, to authorise the sale of such land and to provide for the application of the proceeds thereof.

WHEREAS by Indenture of Conveyance dated 4th day of November 1896 made between John Surbey of the one part and Richard Ord Todd and Arthur William Coates of the other part registered No. 423 Book 588 the land described in the schedule hereto was conveyed unto the use of the said Richard Ord Todd and Arthur William Coates their heirs and assigns for ever AND WHEREAS by a certain Declaration of Trust made the 4th day of November 1896 after reciting that the land described in the abovementioned Indenture of Conveyance had been purchased with moneys provided by the Churchwardens of St. Clements Church of England in the Parish of Marrickville the said Richard Ord Todd and Arthur William Coates declared that they should thenceforth stand seized and possessed of the said lands tenements and hereditaments granted and released by the said Indenture upon trust to hold the same for such religious purposes in connection with the said church and to and for the same ends intents and purposes as the other lands of the said church were then held by the Trustees in whom the same was vested and that they or the survivor of them and the Executors or Administrators of such survivor their or his assigns should whenever so required so to do by the Churchwardens for the time being of the said church convey and assure the said land and hereditaments to such persons and uses as they might be directed and pay any moneys arising therefrom to such Churchwardens or as they might direct AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Parish of St. Clement Marrickville AND WHEREAS the said Richard Ord Todd and Arthur William Coates are now deceased and it is expedient that the said land be vested in Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) AND WHEREAS there has for many years been erected on the said land a mission hall known as St. Andrew's but by reason of the change in the nature of the area in which it is situated and the decrease in resident population it is inexpedient to continue to carry on the purposes for which the said land was acquired and has heretofore been devoted and it is expedient that the same be now

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sold and the net proceeds applied towards the erection of a new church at West Marrickville on the present site of St. Mark in the Parish of St. Clement Marrickville NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows:-

1. That the land described in the Schedule hereto be and the same is hereby vested in the Corporate Trustee subject to the trusts upon which it is now held.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

3. The Corporate Trustee is hereby authorised and empowered to sell the said land by public auction or private contract at such time and at such price as it may think fit freed from the trusts upon which it is now held.

4. 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 conveyance of the land in pursuance thereof be paid to the Churchwardens of St. Clement Marrickville who shall apply the same towards the erection of a new church on the present site of St. Mark at West Marrickville in the Parish of St. Clement Marrickville and the furnishing thereof and any balance not so required for general parochial purposes.

5. This Ordinance may be cited as "St. Clement's Marrickville Vesting and Land Sale Ordinance 1963."

SCHEDULE

All that piece or parcel of land situate in the Parish of Petersham County of Cumberland and Colony of New South Wales being Lot One of Section One of the Victoria Road Subdivision Marrickville commencing at the intersection of the south eastern side of Victoria Road with the north eastern side of Chalder Street and bounded thence on the north west by Victoria Road bearing north easterly thirty five feet thence on the north east by Lot Two bearing south easterly one hundred feet thence on the south east

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by part of Lot twenty two bearing south westerly thirty five feet to Chalder Street and thence on the south west by that Street bearing north westerly one hundred feet to the point of commencement.

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

RICHARD H. BOYT,
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of August, 1963.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

26/8/1963.

R. C. KERLE,
Bishop Commissary.