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*St. John's Maroubra Sale Ordinance 1948*

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No. 3, 1948.

AN ORDINANCE to authorise the sale of certain land situated at Maroubra in the County of Cumberland Parish of Botany and State of New South Wales and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees) is registered under the Real Property Act 1900 as the proprietor of an Estate in fee simple of the land described in the first Schedule hereto. AND WHEREAS the said land is Church Trust Property held for the Parish of St. John's Maroubra. AND WHEREAS by reason of circumstances subsequent to the creation of the trusts it is expedient to sell part of such land, such part being the land described in the second Schedule hereto and to provide for the application of the nett proceeds thereof. Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. The lands described in the first Schedule hereto shall be held upon Trust to permit the same to be used for a Church Rectory or Parish Hall or partly for one and partly for another or other of such purposes in connection with the Church of England in the Parish of St. John's Maroubra.

2. By reason of circumstances subsequent to the creation of Trusts herein declared it is expedient to sell the land comprised in the Second Schedule hereto.

3. The Corporate Trustees are hereby authorised to sell the land described in the second Schedule hereto 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 said Corporate Trustees may deem expedient.

4. The moneys to arise from the sale of the said land or any part or parts thereof shall be applied firstly in payment of the costs charges and expenses of and incidental to this Ordinance and of and incidental to any sale or sales of the said land or any

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part thereof hereby authorised and the balance of such moneys shall be applied by the Corporate Trustees as and when the Rector and a majority of the Parish Council for the time being of the Parish of St. John's Maroubra shall deem expedient in or towards the erection on part of the land comprised in the first Schedule of a new Church.

5. Pending the application by the Corporate Trustees of the balance of such moneys in or towards the erection of the said new Church as referred to in Clause 4 hereof the said moneys together with any interest arising therefrom may be invested in the manner provided by the Investment of Church Trust Property Ordinance 1944.

6. This Ordinance shall be styled and cited as the "St. John's Maroubra Sale Ordinance 1948."

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate in the County of Cumberland Parish of Botany having frontages to Maroubra Bay Road and Haig Street Maroubra of about 328 ft. 11 ins. by varying depths being part of Portion 11.5 and being the residue of the land comprised in Crown Grant dated 29th January, 1918, Registered Volume 2821 Folio 201 after excluding therefrom a drainage reserve 15 ft. wide passing through the land along the south western boundary

THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate in the County of Cumberland Parish of Botany being part of the land comprised in Crown Grant dated the 29th January, 1918, Registered Volume 2821 Folio 201 and being Lot B 2 on Miscellaneous Plan of Sub-division (R.P.) Registered No. 36082 having a frontage of about 40 ft. to Haig Street by a depth along the south eastern boundary of 151 ft. 10 ins. and Lot C on Miscellaneous Plan of Sub-division (R.P.) Registered No. 38612 having a frontage of about 50 ft. to Haig Street by a depth along the South eastern boundary of about 156 ft. 10½ ins.

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

W. G. HILLIARD, Bishop.

Acting Chairman of Committees.

I certify that the Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this fifth day of April, 1948.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

C. VENN PILCHER, Bishop.

Commissary.

6th April, 1948.