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*St. John's Mt. Druitt Land Sale Ordinance 1970*

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No. 36, 1970

AN ORDINANCE to authorise the sale of certain lands at Mt. Druitt in the Municipality of Blacktown to the Department of Main Roads and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor of an estate in fee simple of the land comprised in Certificate of Title Volume 8267 Folio 228 more particularly described in the First Schedule hereto AND WHEREAS such land is church trust property held for the sole benefit of the Provisional District of St. Alban Rooty Hill but no trusts in writing have been declared concerning the same AND WHEREAS part of the land described in the First Schedule hereto namely that part described in the Second Schedule hereto for the improvement of the public highway adjacent thereto AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land comprised in the Second Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold to or acquired by the Department of Main Roads (hereinafter called "the Department") NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES RULES AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule hereto is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said land to the Department by private contract or to permit the Department to acquire the said land by way of resumption or otherwise at such time for such price and upon such terms and conditions as it may think fit freed from the trusts upon which it is held and without limiting the generality of the foregoing the Corporate Trustee is also empowered:—

- (a) to execute a release of all claims for or rights to compensation under Part XIIA of the Local Government Act 1919 or any Ordinance made thereunder in respect of the said land;
- (b) to grant entry upon exchange of contracts for sale to the Department of the said land;

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(c) to permit the Department to remove certain fence posts and consent to the said land vesting in the Council of the Municipality of Blacktown as a public road pursuant to a Notice of Re-Alignment published in Government Gazette No. 99 of 20th August 1964;

(d) to do any such act or execute any such document as may be necessary to give effect to any of the foregoing powers.

3. The proceeds of sale of the said land after paying thereout all outgoing and other debts to which the land is subject shall be applied as follows:—

(a) First, in payment of those costs of and incidental to this Ordinance and to any such sale or transfer in pursuance thereof as are not paid by the Department;

(b) Secondly, the balance to be paid to the Churchwardens of St. John's Church Mt. Druitt to be applied by them for the general purposes of such Church.

4. This Ordinance may be cited as "St. John's Mt. Druitt Land Sale Ordinance 1970".

#### FIRST SCHEDULE

ALL THAT piece or parcel of land in the Municipality of Blacktown Parish of Melville and County of Cumberland having a frontage of about 100' to Great Western Highway and a rear line of 100' and depths on either side of about 237' being Lot 8 in Deposited Plan No. 31721 and being the whole of the land in Certificate of Title Volume 8267 Folio 228.

#### SECOND SCHEDULE

ALL THAT piece or parcel of land in the Municipality of Blacktown Parish of Melville and County of Cumberland being part of Lot 8 in Deposited Plan No. 31721 comprised in Certificate of Title Volume 8267 Folio 228 having a frontage to the Great Western Highway of 100' and a depth on one side of about 20' 7" and on the other side of about 20' 6" and having an area of 7½ perches and being Lot 5½ in Deposited Plan No. 221819.

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

ATHOL RICHARDSON,  
Chairman of Committees.

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I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 21st day of September 1970.

W. L. J. HUTCHISON,

Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

8/10/1970.