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*St. Luke's Concord-Burwood Land Sale Ordinance 1959.*

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No. 4, 1959.

AN ORDINANCE to authorise the sale of certain land at Concord in the Municipality and Parish of Concord County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS by Crown Grant dated 26th May, 1843, recorded in the Register of Grants of the United Church of England and Ireland No. 79 page 21 the land described in the Schedule hereto was granted unto Thomas Bray, James Edrop and John Rowley the elder their heirs and assigns for ever upon trust for the erection thereon of a school house in connection with the United Church of England and Ireland AND WHEREAS by Clause 2 of St. Luke's Church Concord Burial Ground Sale Ordinance of 1889 it was inter alia decreed that the said land should and might be used for the purpose of erecting thereon a Parsonage and certain other land in the said Parish namely Allotment 7 of Section 4 situated in Burton Street Concord should and might be used for the purpose of erecting thereon a School House to be used in connection with the said Parish AND WHEREAS by Deed of Consent dated 31st July 1906 Registered No. 635 Book 810 William Saumarez, Archbishop of Sydney, did consent that the land described in the said Schedule be vested in Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee subject to the trusts concerning the same as were then still subsisting and capable of taking effect AND WHEREAS there is now erected on the said land a Rectory and Parish Hall used in connection with the said Parish AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is expedient to sell the same AND WHEREAS such sale will involve the present Rectory and the Parish Hall now erected on the land described in the said Schedule and it will be necessary to erect a new Rectory and Parish Hall on part of the church land in Burton Street aforesaid and for such purposes to apply the purchase money to arise from the said sale towards the erection of such buildings on one or other of them Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS AND DIRECTS as follows:—

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

2. The land described in the Schedule hereto may be sold together or in parcels at such price or prices and at such time or times and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts aforesaid.

3. The proceeds of the sale of the said land shall after paying thereout all outgoings to which the same is subject and the costs of and incidental to this Ordinance and the sale or sales in pursuance thereof be applied as follows: —

- (a) That part arising from the sale of the land upon which the Rectory is erected shall be paid to the Churchwardens for the time being of St. Luke's Concord-Burwood to be applied by them in and towards the costs of erecting a new Rectory on the Church land situated in Burton Street Concord or towards the repayment of any moneys which may be borrowed in the meantime for the purpose of such erection.
- (b) That part arising from the sale of the land upon which the Parish Hall is erected shall be applied by the Corporate Trustee in and towards the cost of erection of a new Parish Hall on the said land in Burton Street or towards the repayment of any moneys which may be borrowed in the meantime for the purpose of such erection.

Pending the application of the money as aforesaid the same may be invested by the Corporate Trustee in accordance with the provisions of the Investment of Church Trust Property Ordinance 1944 as amended or any further amendments thereto and the income arising therefrom shall be added to the capital and follow the destination thereof.

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4. This Ordinance may be cited as "St. Luke's Concord-Burwood Land Sale Ordinance 1959."

SCHEDULE.

All that piece or parcel of land containing two roods situated in the County of Cumberland Parish of Concord Part of the Long Bottom Reserve bounded on the East by a line bearing North two chains fifty links commencing at a stake eight chains fifty links north of a stake on the Parramatta Road being the continuation of a Road from the Liverpool Road on the North by a line bearing West two chains on the West by a line bearing south two chains fifty links and on the south by a line bearing East two chains with all the Rights and Appurtenances whatsoever thereto belonging.

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

H. GORDON S. BEGBIE,  
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 April, 1959.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.  
W. G. HILLIARD, Bishop,  
Administrator.

27/4/1959.