
St. Luke's Concord - Burwood Land Sale Ordinance 1969

No. 46, 1969

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

WHEREAS by two several Crown Grants dated 22nd June, 1859 entered in the register of grants to the United Church of England and Ireland as No. I Folio 59/2 and No. III Folio 59/1 all those parcels of land described in the first and second parts of the First Schedule hereto were granted to Thomas Bray, George Uhr and the Reverend Matthew Devenish Mears being trustees nominated and appointed under an Act intituled "an Act to regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales" upon trust in respect of the land firstly described for the erection of a church of the United Church of England and Ireland as by law established and in respect of the land secondly described as a site for a dwelling house garden and other appurtenances for the clergyman appointed to officiate in the said church at Longbottom (now Concord) AND WHEREAS by two several Deeds of Consent dated respectively 4th August, 1906 Registered No. 637 Book 810 and 31st July, 1906 Registered No. 636 Book 810 the said two parcels were vested in Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") subject to the trusts upon which the said lands were held AND WHEREAS the Corporate Trustee is also the registered proprietor in fee simple of the land comprised in Certificate of Title Volume 1753 Folio 21 more particularly described in the third part of the First Schedule but no trusts in writing have been declared concerning the same AND WHEREAS all the said land is church trust property held for the sole benefit of the Parish of St. Luke Concord-Burwood AND WHEREAS portion of the said lands namely that described in the Second Schedule is required for the purpose of a County Road by the State Planning Authority of the State of New South Wales which has agreed to purchase the same at the sum of Thirty thousand six hundred dollars (\$30,600) AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trust upon which that part of the land described in the Second Schedule is held it is inexpedient and impossible to carry out and observe the same and it is expedient that the land so required be sold to the State Planning Authority or the Commissioner of Main Roads or other appropriate authority for the sum abovementioned and that the proceeds be applied as hereinafter set out NOW the Standing

St. Luke's Concord - Burwood Land Sale Ordinance 1969

Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES RULES AND ORDAINS 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 or impossible 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 at the sum of Thirty thousand six hundred dollars (\$30,600) to the Crown or other appropriate authority freed from all trusts and to execute a release of any and all claims which it might have in respect of the land arising out of the coming into operation of County of Cumberland Planning Scheme on 27th June, 1951 or any variation or Amendment thereof.

3. The proceeds arising from the said sale shall after paying thereout all outgoings to which the land may be subject and the costs of and incidental to this Ordinance and the conveyance or transfer pursuant thereto be paid to the Churchwardens of St. Luke's Church Concord to be applied by them towards the cost of and incidental to the erection of a new parish hall on the residue of the lands described in the First Schedule.

4. This Ordinance may be cited as "St. Luke's Concord-Burwood Land Sale Ordinance 1969".

FIRST SCHEDULE

FIRST PART

All that piece or parcel of land in the State of New South Wales containing by admeasurement One acre be the same more or less situated in the County of Cumberland and Parish of Concord Village of Longbottom Allotments numbers Five and Six of Section Number Four commencing on the North side of Burton Street and the South-West corner of portion Number Four and bounded thence on the South by Burton Street, Westerly two chains on the West by the East boundary line of allotment Number Seven appropriated for Church of England Parsonage Northerly at right angles to Burton Street five chains on the North by the South boundaries of allotments Numbers Seventeen and Eighteen being in all a line Easterly parallel with Burton Street two chains and on the East by the West

St. Luke's Concord - Burwood Land Sale Ordinance 1969

boundary line of allotment Number Four aforesaid Southerly at right angles to Burton Street five chains to the point of commencement. (Advertised in the Government Notice dated 10th May, 1859.)

SECOND PART

All that piece or parcel of land in the State of New South Wales containing by admeasurement two roods be the same more or less situated in the County of Cumberland and Parish of Concord Village of Longbottom Allotment No. 7 of Section No. 4 commencing on the North side of Burton Street at the South-West corner of Allotment No. 6 appropriated for a Church of England Church and bounded thence on the South by Burton Street Westerly one chain on the West by the East boundary line of Allotment No. 8 Northerly at right angles to Burton Street 5 chains on the North by the South boundary line of Allotment No. 16 Easterly parallel with Burton Street one chain and on the East by the West boundary line of Allotment No. 6 aforesaid Southerly at right angles to Burton Street five chains to the point of commencement. (Advertised in the Government Notice dated 10th May, 1859.)

THIRD PART

All that piece or parcel of land situated in the Village of Longbottom (now known as Concord) Municipality of Concord Parish of Concord County of Cumberland having a frontage of 20' to Burton Street by depth of 330' being Part Allotment 8 Section 4 of the public map of the said Village and the whole of the land comprised in Certificate of Title Volume 1753 Folio 21.

SECOND SCHEDULE

All that piece or parcel of land situated as aforesaid containing about 2 roods 0¼ perches with a part frontage on the West near to Moreton Street and a width on such frontage of 100' 2" a depth of 218' extending Eastward with a rear width of 100' all dimensions being a little more or less and being Lots 1 and 3 in plan of subdivision prepared by Surveyor Donald Percival Rich to be lodged as a Deposited Plan (Crown Plan) and shown thereon as to be acquired for County Road purposes.

St. Luke's Concord - Burwood Land Sale Ordinance 1969

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of Synod of the Diocese of Sydney on the 27th day of October, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

27/10/1969.