
*St. Mark's Brighton-le-Sands (St. Alphege's Kyeemagh and
St. Peter's Monterey) Land Sale and Variation of Trusts
Ordinance 1970*

No. 34, 1970

AN ORDINANCE to authorise the sale of certain lands at Kyeemagh and also at Monterey in the Municipality of Rockdale and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as the proprietor in fee simple in the lands comprised in Certificate of Title Volume 5242 Folio 30 and Certificate of Title Volume 5395 Folio 191 more particularly described in the First Schedule hereto AND ALSO of the lands comprised in Certificate of Title Volume 4197 Folio 194 more particularly described in the Second Schedule hereto AND WHEREAS the said lands are church trust property held for the sole benefit of the Parish of St. Mark Brighton-le-Sands with St. Alphege's Kyeemagh and St. Peter's Monterey but no trusts in writing have been declared concerning the same AND WHEREAS there are erected upon the said lands firstly described the Church known as St. Alphege's Kyeemagh and a church hall and upon the said lands secondly described the Church known as St. Peter's Monterey and certain other buildings AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trust upon which such lands are held the said lands and buildings are no longer required for the purposes of the said Parish AND WHEREAS it is expedient that the said lands and buildings now be sold NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES ORDAINS RULES AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the First and Second Schedules hereto are 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 lands be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said lands by public auction or private contract together or in parcels at such time or times at such price or prices and upon such terms and conditions as it may think fit freed from all trusts upon which the same are now held.

3. The proceeds arising from the said sale or sales after paying thereout all outgoings to which the said lands may be subject and the costs of and incidental to this Ordinance and the

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sale or sales and transfer or transfers pursuant hereto shall be paid to the Churchwardens for the time being of St. Mark's Brighton-le-Sands who shall apply the same towards the construction of a Christian Education Centre and Parish Hall at St. Marks Brighton-le-Sands.

4. This Ordinance may be cited as "St. Mark's Brighton-le-Sands (St. Alphege's Kyeemagh and St. Peter's Monterey) Land Sale and Variation of Trusts Ordinance 1970".

FIRST SCHEDULE.

ALL THAT parcel of land situate at Jacobson Avenue, Kyeemagh in the Municipality of Rockdale Parish of St. George and County of Cumberland having a frontage of about 66 ft. to Jacobson Avenue, a splay corner of about 5 ft. 8 in. a Western boundary of about 66 ft. a rear line of about 70 ft. and an Eastern boundary of about 70 ft. containing about 17¼ perches, being Lot 192 in Deposited Plan No. 19326 and the whole of the land comprised in Certificate of Title Volume 5242 Folio 80.

ALL THAT parcel of land situate at Jacobson Avenue, Kyeemagh in the Municipality of Rockdale Parish of St. George and County of Cumberland having a frontage of about 50 ft. to Jacobson Avenue, an Eastern boundary of about 106 ft. a Western boundary of about 70 ft. and an irregular rear boundary containing about 17¼ perches being Lot 193 in Deposited Plan No. 19326 and the whole of the land comprised in Certificate of Title Volume 5395 Folio 191.

SECOND SCHEDULE

ALL THAT parcel of land situate at Cassilis Street Monterey in the Municipality of Rockdale Parish of St. George and County of Cumberland having a frontage of about 66 ft. to Cassilis Street a Northern boundary of about 144 ft. 9 in. a Southern boundary of about 100 ft. and a rear line of about 80 ft. ¼ in. containing about 29¼ perches being Lots 70 and 71 in Deposited Plan No. 7673 and the whole of the land comprised in Certificate of Title Volume 4197 Folio 194.

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

H. G. S. BEGBIE,
Deputy Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 31st day of August, 1970.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

31/8/1970.