
St. Mark's Malabar Land Sale Ordinance 1969

No. 25, 1969

AN ORDINANCE to authorise the sale of certain lands at Peronne Parade and Messines Crescent Matraville, Hume Street Matraville, Dampier and Forrest Streets Chifley and Raglan and Prince Edward Streets Malabar and to provide for the application of the proceeds.

WHEREAS the Church of England Property Trust Diocese of Sydney is the registered proprietor of the whole of the lands comprised in the Schedule hereto AND WHEREAS the said lands are church trust property held for the sole benefit of the Parish of St. Mark Malabar but no trusts in writing have been declared concerning the same AND WHEREAS it is proposed to purchase certain Crown Land at the corner of Franklin and Victoria Streets Malabar Junction and to erect thereon a new church centre and rectory AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held is inexpedient to carry out and observe the same and it is expedient that the lands described in the Schedule hereto be subdivided and sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney HEREBY ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creating of the trusts upon which the said lands described in the Schedule hereto are held it is inexpedient to carry out and observe the same in their entirety and it is expedient that the said lands be sold.

2. The Corporate Trustee is hereby empowered to sell the said lands described in the Schedule hereto by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as the Parish Council of the said Parish and the Corporate Trustee may determine freed from any trusts whatsoever.

3. The proceeds arising from the sales of the said lands, after paying thereout the costs of and incidental to this ordinance and of the sub-division sales and transfers in pursuance thereof and all outgoings to which the said lands may be subject, including any amount owing to the Sydney Church of England Finance and Loans Board or to the Diocese for special assessments shall be paid to the Churchwardens for the said Parish and shall be applied by them firstly in or towards the purchase of the new church site at Franklin

St. Mark's Malabar Land Sale Ordinance 1969

and Victoria Streets, Malabar Junction secondly towards the building thereon of a new church centre thirdly towards the building of a new rectory for the said Parish and any balance shall be invested or placed in a separate bank account and used as and when required towards the development equipment or furnishing of any parish property.

4. This Ordinance may be cited as "St. Mark's Malabar Land Sale Ordinance 1969".

SCHEDULE

FIRST PART

All that parcel of land situate at Peronne Parade and Messines Crescent Matraville in the County of Cumberland Parish of Botany containing by admeasurement three roods thirty-three perches being Portion 2831 as shown in plan catalogued No. C. 8547-2030 in the Department of Lands and being the whole of the land in Land Grant Volume 10742 Folio 137.

SECOND PART

All that parcel of land situate at Matraville South in the County of Cumberland and Parish of Botany containing by admeasurement twenty-four and three-quarter perches having a frontage to Hume Street of about 45' and a depth of about 150' and being Portion 4042 as shown in plan catalogued No. C. 5761-2030 in the Department of Lands and being the whole of the land in Land Grant Volume 6650 Folio 58.

THIRD PART

All that parcel of land situate at Dampier and Forrest Streets Chifley in the County of Cumberland and Parish of Botany containing by admeasurement two roods thirty-three perches and being Portion 4844 in the said Parish and being Purchase 1949/22.

FOURTH PART

All that parcel of land situate at Malabar in the County of Cumberland Parish of Botany containing by admeasurement one acre two roods twenty perches having a frontage to Raglan Street of about 214' 6" being the whole of the land in Land Grant Volume 1934 Folio 39.

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

ATHOL RICHARDSON,
Chairman of Committees.

St. Mark's Malabar Land Sale Ordinance 1969

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 21st day of July, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop.

21/7/1969.