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*St. Mark's Picton Land Sale Ordinance 1949.*

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No. 4, 1949.

AN ORDINANCE to consent to the vesting of certain land situate in the Town of Upper Picton in the Parish of St. Mark Picton in the Church of England Property Trust Diocese of Sydney to authorise the sale of the said land and to provide for the application of the proceeds of sale.

WHEREAS the land comprised by three several Crown Grants dated the 2nd October, 1879, Registered Volume 475 Folios 56, 57 and 58, the land more particularly described therein and in the Schedule hereto (hereinafter referred to as "the said land") were granted to the Reverend Samuel Fox, James Proctor and William Fieldhouse upon the trusts respectively mentioned in the said Crown Grants and set out in the Schedule hereto.

AND WHEREAS it is expedient to vest the said land in the Church of England Property Trust Diocese of Sydney (hereinafter called the Trust).

AND WHEREAS it is expedient to sell the said land and to provide for the application of the purchase money in the manner hereinafter mentioned.

Now the Standing Committee of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. By reason of circumstances subsequent to the creation of the trusts to which the land is now subject:—

- (a) It has become inexpedient to carry out and observe such trusts insofar as the same are varied by this Ordinance; and
- (b) it appears expedient to sell the said land and to apply the money arising from the sale for the purpose set out in this Ordinance.

2. The Synod hereby consents to the vesting of the said land and the same is hereby vested in the Trust.

3. The said land may be sold by private contract to the Council of the Shire of Wollondilly for the sum of £180.

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4. The purchase money arising from such sale shall be paid to the Trust and shall be applied in payment of—

- (i) All rates and taxes, if any, due in respect of the said land;
- (ii) All costs charges and expenses of and incidental to this Ordinance and the said sale.

The balance of the purchase money shall be paid to the Rector and Churchwardens of the Parish of St. Mark Picton to be held by them upon trust to apply from time to time in their discretion the whole or any part of the capital or income thereof in the maintenance and repair of any Church trust property held for the benefit of the said Parish.

5. This Ordinance may be cited as the "St. Mark Picton Land Sale Ordinance 1949."

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SCHEDULE.

Crown Grant Volume 475 Folio 56 comprising Allotments One and Two of Section Six commencing at the North Western corner of the Section and bounded thence on the West by Argyle Street southerly two chains on the South by the northern boundary line of allotment three appropriated for a Church of England Parsonage easterly at right angles to Argyle Street five chains to Dunlop Place on the East by Dunlop Place northerly parallel with Argyle Street two chains to Cowper Street and on the North by that street westerly five chains to the point of commencement.

Upon Trust for the erection thereon of a Church in connection with the United Church of England and Ireland as more particularly set out in the Crown Grant.

Crown Grant Volume 475 Folio 57 comprising Allotment Three of Section Six commencing on the eastern side of Argyle Street at the south western corner of allotment two part of an appropriation of one acre for a Church of England Church and bounded thence on the west by that street southerly one chain on the south by the northern boundary line of allotment four easterly at right angles to Argyle Street five chains to Dunlop Place on the East by Dunlop Place northerly parallel with Argyle

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Street one chain and on the north by the southern boundary line of allotment two aforesaid westerly at right angles to Argyle Street five chains to the point of commencement.

Upon Trust for the appropriation thereof as a site of a dwelling house, garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland in New South Wales erected at Upper Picton as more particularly set out in the Crown Grant.

Crown Grant Volume 475 Folio 58 comprising Allotment Four of Section Six commencing on the eastern side of Argyle Street at the south western corner of allotment three and bounded thence on the West by that street southerly one chain on the south by the northern boundary line of allotment five easterly at right angles to Argyle Street five chains to Dunlop Place on the east by Dunlop Place northerly parallel with Argyle Street one chain and on the north by the southern boundary line of Allotment three aforesaid westerly at right angles to Argyle Street five chains to the point of commencement.

Upon Trust for the erection thereon of a School House in connection with the United Church of England and Ireland as by law established and for no other purpose whatsoever.

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

W. G. HILLIARD, Bishop.

Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this fourth day of May, 1949.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

4th May, 1949.