
"St. Paul's Bankstown Sale Ordinance 1940."

No. 22, 1940.

AN ORDINANCE to authorise the sale of certain land situate in the Parish of St. Paul Bankstown and to provide for the application of the proceeds of sale and for other purposes.

WHEREAS the land mentioned in the First Schedule hereto (hereinafter called the said land) with Hall thereon was purchased in the year 1928 by certain persons out of funds provided by the Parish of St. Paul Bankstown and has been held by the Purchasers and their assigns on trust for the said Parish and the said building has been used as a Parish Hall of the said Parish.

AND WHEREAS the said land is Church Trust Property.

AND WHEREAS it is expedient to declare the trusts on which the said land has been and is now held.

AND WHEREAS the said land is at present mortgaged to the Australian Mutual Provident Society and the principal amount owing on such mortgage is £580.

AND WHEREAS William Albert Edward Joy and Norman Vincent Halliday (hereinafter called the Trustees) are the present registered proprietors of the land and hold the same subject to the said mortgage on the trusts aforesaid.

AND WHEREAS by reason of circumstances subsequent to the creation of the said trusts it has become inexpedient to carry out and otherwise observe such trusts in so far as the same are hereby varied and it is expedient to sell the said land and to provide for the application of the purchase money.

AND WHEREAS Charles George Grove, Walter James Oswald and Cedric Edmund Hungerford all of Bankstown Freeholders are the registered proprietors of the land mentioned in the Second Schedule which land was purchased out of funds provided by the said Parish but no specific trusts have been declared in respect of such land, and it is expedient to vest such land in the Church of England Property Trust Diocese of Sydney upon the trusts hereinafter declared.

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

1. It is hereby declared that the said land has been and is held in trust for the Parish of St. Paul Bankstown for the purposes of a Parish Hall.

2. By reason of circumstances subsequent to the creation of the said trusts it has become inexpedient to carry out and observe such trusts in so far as the same are hereby varied and it is expedient that such trusts be varied accordingly and it is expedient to sell the said land and to provide for the application of the purchase money.

3. The said land may be sold at the price of £975 (including the said sum of £580) and on the conditions and terms of a certain Contract dated the Seventeenth day of October 1940 between the Trustees of the one part and Walter Selby Wood and others as Trustees for The Returned Soldiers and Sailors' Imperial League of Australia (Bankstown Sub-branch) of the other part with such modifications amplifications and variations as the said Trustees may deem proper and in the event of such sale not being completed at such other price as the Standing Committee may by resolution approve and to such other person or persons and upon such other terms and conditions by public auction or private contract as the said Trustees or other Trustees for the time being of the said land may determine with power to vary or rescind the said Contract or any other contract.

4. The proceeds of sale over and above the said amount of £580 shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and of the said sale and subject thereto shall be applied in repayment of moneys lent to the Rector and Churchwardens of the said Parish.

5. The Standing Committee hereby consents to the land mentioned in the Second Schedule being vested and the same is vested accordingly in the Church of England Property Trust Diocese of Sydney to be held on trust to permit the same to be used for a Church Rectory and Parish Hall or partly for one or partly for other or others of such purposes in connection with the Church of England in the Parish of St. Paul Bankstown.

6. This Ordinance may be cited as the "St. Paul's Bankstown Sale Ordinance 1940."

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THE FIRST SCHEDULE.

ALL THAT piece or parcel of land situated in the Municipality and Parish of Bankstown County of Cumberland having a frontage to Kitchener Parade of about 44 feet by a depth of about 120 feet and being Lot 12 in Deposited Plan No. 8252 and being the whole of the land comprised in Certificate of Title registered Volume 3011 Folio 44 together with the building thereon known as the Parish Hall and all other improvements thereon.

THE SECOND SCHEDULE.

ALL THAT piece or parcel of land situated in the Municipality of Bankstown Parish of Liberty Plains County of Cumberland containing 3 roods $29\frac{1}{4}$ perches having a frontage of 125 feet $1\frac{3}{8}$ inches to Hume Highway and of 14 feet $6\frac{3}{8}$ inches to the corner of Hume Highway and Auburn Road by a depth along Auburn Road of 316 feet $7\frac{3}{8}$ inches and along the boundary of portion 225 of 291 feet $10\frac{1}{2}$ inches with a rear line of 132 feet, being part of portion 224 originally granted to Daniel Wheeler by Crown Grant dated the 23rd day of November 1894 Volume 1149 Folio 218, and being the land comprised in Certificate of Title Volume 4674 Folio 2.

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

W. J. G. MANN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this Sixteenth day of December 1940.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

December 18 1940.