
*Sydney Church of England Grammar School Council
(Berry's Bay Boatshed) Sale Ordinance of 1949.*

No. 9, 1949.

AN ORDINANCE to authorise the sale by Sydney Church of England Grammar School Council of certain lands situate at Berry's Bay North Sydney in the State of New South Wales and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS Sydney Church of England Grammar School Council (being a body politic and corporate incorporated by the Church of England Trust Property Act 1917 and hereinafter referred to as "the said Council") acquired the freehold lands and premises comprised and described in the first part of the Schedule hereunder written at the time of its incorporation as aforesaid. AND WHEREAS the said Council claims to have right title and interest to and in the leasehold premises and license comprised and described in the second part of the Schedule hereto. AND WHEREAS the said Council has used the said lands and premises in connection with the rowing activities of Sydney Church of England Grammar School. AND WHEREAS the said lands and premises are Church trust property. AND WHEREAS it has become expedient to sell the said freehold lands and premises and such right title and interest (if any) to and in the said leasehold premises and license (all of which is hereinafter referred to as the said lands and premises). Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains directs and rules as follows:—

1. By reason of circumstances subsequent to the acquisition thereof by the said Council it has become expedient to sell the said lands and premises.

2. The said lands and premises may be sold by public auction or private contract either in one Lot or in several Lots for cash or upon terms at such time or times at such price or prices and upon such terms and conditions as the said Council may deem expedient free from any trusts whatsoever.

3. The said Council is hereby authorised and empowered to make execute and do all such deed or deeds and any other instrument or instruments and such acts measures matters and things as may be necessary for the carrying into effect of any sale or sales or any dealing or matter authorised by this Ordinance.

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4. The moneys arising from any such sale or sales as aforesaid shall after paying thereout all rates taxes rents and other outgoings properly chargeable against the said lands and premises and all costs charges and expenses of and incidental to this Ordinance and the said sale or sales and the transfer or transfers of the said lands and premises in pursuance thereof be held by the said Council as funds of the said Council for use by it in connection with its conduct management and control of Sydney Church of England Grammar School.

5. This Ordinance may be cited as "Sydney Church of England Grammar School Council (Berry's Bay Boatshed) Sale Ordinance of 1949."

THE SCHEDULE HEREINBEFORE REFERRED TO.
FIRST PART.

All that piece or parcel of land situate at Berry's Bay North Shore and having a frontage of 40 feet or thereabouts to West Crescent Street in the Municipality of North Sydney Parish of Willoughby and County of Cumberland, being the whole of the land comprised in Certificate of Title Volume 964, Folio 36.

SECOND PART.

All that the area of $4 \frac{3}{5}$ perches or thereabouts at Berry's Bay North Sydney immediately adjoining the freehold lands and premises comprised and described in the first part of this Schedule and below the high water mark of Sydney Harbour as comprised and described in a certain Agreement for Lease bearing date the 31st day of March, 1925, and expressed to have been made between The Sydney Harbour Trust Commissioners of the one part and The Sydney Church of England Grammar School Council of the other part.

All that the License bearing date the 11th day of April, 1917, expressed to have been granted by The Sydney Harbour Trust Commissioners to The Church of England Property Trust Diocese of Sydney to put down an effluent pipe from the Septic Tank on premises at No. 8 West Crescent Street North Sydney (being the freehold lands and premises comprised and described in the first part of this Schedule) and to discharge the effluent therefrom into the waters of Port Jackson.

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

ARTHUR L. WADE,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 26th day of September, 1949.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

28th September, 1949.