

ALL SAINTS' CHURCH FIGTREE LAND SALE ORDINANCE 1990

No 54, 1990

AN ORDINANCE to authorise the sale of certain land situate at 57 Cummins Street, Unanderra to vary the trusts and to provide for the application of the proceeds thereof.

WHEREAS the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as Proprietor in fee simple of the land described in the Schedule hereto (hereinafter called "the land") AND WHEREAS pursuant to clause 2 of the Figtree Variation of Trusts and Mortgaging Ordinance 1986 the land is church trust property held for the sole benefit of the Parish of Figtree (hereinafter called "the Parish") on trust for the purpose of a residence for a minister, assistant to the minister or person employed by the churchwardens AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that the land be now sold and the proceeds applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows.

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold and that the proceeds be applied as in clause 3.

2. The Corporate Trustee is hereby authorised to sell the land within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement for such price and on and subject to such terms and conditions as to the Corporate Trustee may seem appropriate freed from the trust upon which it is now held.

3. The proceeds arising from the sale after paying thereout the costs of and incidental to this Ordinance and the sale and transfer pursuant thereto and all outgoings to which the land is subject shall be applied by the Corporate Trustee at the request in writing of a majority of the members of the Parish Council of the Parish towards:

- (1) the cost of acquiring a residence for an assistant to the minister or other person employed by the churchwardens; or
- (2) the reduction of the indebtedness of the Parish on All Saints' Church, Figtree; or
- (3) such purpose or purposes as Standing Committee may determine by resolution.

PROVIDED that pending such application the amount held shall be invested and the income arising therefrom shall be capitalised.

4. This Ordinance may be cited as "All Saints' Church Figtree Land Sale Ordinance 1990".

SCHEDULE

ALL THAT piece or parcel of land being Lot 37 Deposited Plan 29383 Parish of Kembla County of Camden being whole of the land in Certificate of Title Volume 12615 Folio 21 and known as 57 Cummins Street, Unanderra.

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

N.M. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 17th day of December 1990.

W.G.S. GOTLEY
Secretary

ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney

17/12/1990