

ASQUITH (ST. GEORGE'S MOUNT COLAH) SALE ORDINANCE 1984

NO. 53 1984

AN ORDINANCE to vary the trusts and authorise the sale of certain land and to provide for the application of the proceeds.

WHEREAS

- A. Church of England Property Trust Diocese of Sydney now known as Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor of the land described in the schedule.
- B. By the St. Peter's Hornsby (Mount Colah) Mortgaging Ordinance 1946 the land was declared to be held on trust for the Parish of St. Peter's Hornsby at Mount Colah.
- C. The land is now situated in the Parish of Asquith.
- D. By reason of the circumstances which have arisen subsequent to the creation of the trusts on which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold.

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 the circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold.
2. The Corporate Trustee is hereby authorised and empowered to sell the land by public auction or private contract at such price and upon such terms and conditions as it may determine freed from the trusts upon which it is held within three years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee.
3. The proceeds arising from the sale shall be applied as follows:-

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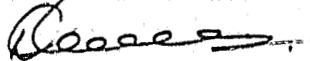
- (a) First to pay all outgoings to which the land may be subject the costs of and incidental to this Ordinance and the sale pursuant thereto.
- (b) Secondly the net balance shall be applied for such purposes within or without or partially within and partially without the parish of Asquith as the Standing Committee at the written request of a majority of the parish council of the said parish may by resolution from time to time determine provided that in default of agreement either party may refer the question of the application to the Synod for determination.
- (c) Pending such application as aforesaid the net balance shall be invested and the interest capitalised.

4. This Ordinance may be cited as "Asquith (St. George's Mount Colah) Sale Ordinance 1984".

SCHEDULE

ALL THAT land at Mount Colah being Lot 2A in plan annexed to Transfer No. D488669 comprised in Certificate of Title Volume 5649 Folio 64.

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



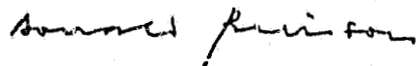
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 10th day of December 1984.



Secretary

I ASSENT to this Ordinance



Archbishop of Sydney
10 / 12 / 1984

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