

BEROWRA SALE ORDINANCE 1985

NO. 10, 1985

AN ORDINANCE to authorise the sale of certain land and to vary certain trusts.

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Property Trust") is the registered proprietor of the land comprised in Certificate of Title Volume 6696 Folio 24 which land is situated on the corner of Railway and High Streets, Mount Ku-ring-gai. 5

B. The said land is believed to be church trust property held upon trust for the Anglican Church of Australia in the Provisional Parish of Berowra in the Diocese of Sydney.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held, it is inexpedient to carry out and observe the same to the extent that the same are hereby varied, it is expedient that the said land be sold and it is inexpedient to deal with or apply all of the proceeds from such sale solely for the benefit of the said Provisional Parish. 10 15

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. This ordinance may be cited as "Berowra Sale Ordinance 1985". 20
2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held, it is inexpedient to carry out and observe the same to the extent that the same are hereby varied, it is expedient that the said land be sold and it is inexpedient to deal with or apply all of the proceeds from such sale solely for the benefit of the said Provisional Parish. 25

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3. The Property Trust is authorized and empowered to sell the said land within (3) years from the date of assent to this ordinance and thereafter only with the consent of the Standing Committee (expressed by resolution thereof) by public auction or other contract at such time for such price and upon such terms and conditions as it may think fit free from the trusts upon which the said land is held.

4. The proceeds from the sale of the land (after payment of all costs of and incidental to this ordinance and to the sale of the said land) and any income derived therefrom shall be applied by the Property Trust in or towards all or any of the following:-

- (a) the acquisition of land within the Provisional Parish of Berowra;
- (b) the construction of buildings on church trust property held upon trust for the Provisional Parish of Berowra;
- (c) meeting the cost of acquiring land or buildings to be held by the Property Trust upon trust for the Anglican Church of Australia at Mount Colah in the Parish of Asquith;

as determined by the Parish Council of the said Provisional Parish by resolution thereof.

*with the consent of the Standing Committee*

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

*deputy* *Chairman*  
.....  
Chairman of the Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the *27th* day of *May* 1985.

*[Signature]*  
.....  
Secretary.

I ASSENT to this Ordinance.

*[Signature]*  
.....  
Archbishop of Sydney.  
25 / 6 / 1985