

CAMMERAY SALE ORDINANCE 1979

No. 63 1979

AN ORDINANCE to authorise the sale of certain land at Cammeray, to record the trusts on which certain other land at Cammeray is held and to vary the same.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land described in the Schedule hereto.

B. In the case of the land described in the First Part of the Schedule hereto, no written trusts have been recorded but the said land is believed to be held upon trust for the sole benefit of the Parish of All Saints' Cammeray. The land described in the Second Part of the Schedule is held upon trust for the sole benefit of the Parish of All Saints' Cammeray.

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 and it is expedient that the land described in the Second Part of the Schedule hereto be sold.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS DIRECTS AND RULES as follows:-

1. This Ordinance may be cited as "Cammeray Sale Ordinance 1979".
2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the Second Part of the Schedule hereto is held, it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.
3. (1) The Corporate Trustee is hereby empowered to sell the said land described in the Second Part of the Schedule hereto in one or more parcels, by public auction or private treaty, and for such consideration and on and subject to such terms and conditions as, in the opinion of the Corporate Trustee, may be appropriate.

25 (2) The proceeds from the sale of the said land shall be applied firstly in meeting all costs of and incidental to this Ordinance and to the sale of the said land and then in or towards such of the following:-

(a) the purchase of real property,

30 (b) meeting the costs of erecting a new building or new buildings or other improvements on land vested in the Corporate Trustee and held on trust for the Parish of Nareburn with Cammeray or any parish or other ecclesiastical district into which the said Parish may be incorporated,


35 (c) meeting the costs of renovating or otherwise improving buildings or other improvements on land vested in the Corporate Trustee and held by it on trust for the Parish of Nareburn with Cammeray or any parish or other ecclesiastical district into which the said Parish may be incorporated,

40 as a majority of the Parish Council of the said Parish shall request in writing addressed to the Corporate Trustee. Pending any application pursuant to this clause, the said proceeds shall be invested by the Corporate Trustee and all income therefrom capitalised.

45 4. (1) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the First Part of the Schedule hereto is held, it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

50 (2) The Corporate Trustee may grant a right of carriage way or a right of foot way or both such rights over any part of the land described in the First Part of the Schedule hereto to the registered proprietor of the whole or any part of the land described in the Second Part of the Schedule hereto.

(3) Subject to sub-clause (2), the said land shall be held on trust for the Parish of Nareburn with Cammeray or any parish or other ecclesiastical district into which the said Parish may be incorporated.



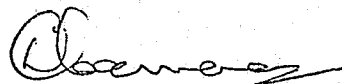
SCHEDULEFirst Part

The land in Certificate of Title Volume 2001 Folio 107 having a frontage to Carter Street, Cammeray.

Second Part

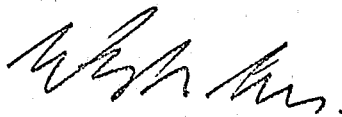
The land in Certificate of Title Volume 1853 Folio 80 also having a frontage to Carter Street, Cammeray.

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



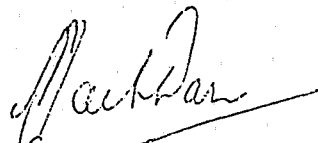
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 19th day of November 1979.



Secretary

I ASSENT to this Ordinance.



Commissary
Archbishop of Sydney
19/11/1979