



Menai Land Sale Ordinance 1998

No 13, 1998

Long Title

An Ordinance to authorise the sale of certain land at Lucas Heights and to provide for the application of the proceeds of sale.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of certain land having a frontage to Old Illawarra Road, Lucas Heights being the land contained in Lot 601 in Deposited Plan 860895 (the "Land").

B. By a declaration made by the Property Trust on 14 May 1993 under clause 3 of the New Sites Ordinance 1982, the Land is held upon trust for the Parish of Menai (the "Parish").

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold and the proceeds of sale applied in the manner set out in this Ordinance.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows -

Name

1. This Ordinance is the Menai Land Sale Ordinance 1998.

Declarations

2. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold and the proceeds of sale applied in the manner set out in this Ordinance.

Sale Authority

3. The Property Trust is empowered to sell the Land by public auction or private contract at such time and at such price upon and subject to such terms and conditions as it may think fit provided that no such sale may be effected after the 3rd anniversary of the date on which assent is given to this Ordinance without the consent of the Standing Committee given by resolution.

Application of Proceeds of Sale

4. The proceeds of sale of the Land shall be applied by the Property Trust as follows -

(a) in payment of all outgoings to which the Land may be subject and the costs of and incidental to this Ordinance and to the sale of the Land; and

(b) the remaining balance shall be paid to the churchwardens of the Parish to be applied for such purposes of the Parish as are determined by the majority of the parish council of the Parish.

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 22 June 1998.

M.A. PAYNE

Secretary

I Assent to this Ordinance.

P.W. BARNETT

Commissary for Archbishop of Sydney

25/6/1998