



## **Randwick Land Sale Ordinance 1998**

No 16, 1998

### **Long Title**

An Ordinance to authorise the sale of certain land at Randwick and the application of the proceeds of sale.

### **Preamble**

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is registered as proprietor of Lot 3 in Strata Plan 6181 situated at 3/7 The Avenue Randwick ("The Avenue Land") and Lot 6 in Strata Plan 638 situated at 6/109 Clovelly Road Randwick (the "Clovelly Road Land").

B. By Declaration of Trust made by the Property Trust on 15 June 1972, The Avenue Land is held on trust for the sole benefit of the parish of St Jude Randwick (the "Parish") or any parish into which it may subsequently be formed for use as a curate's residence.

C. By the Will of May Hitchings, the Clovelly Road Land is held upon trust by the minister for the time being in charge of St Jude's Church of England Randwick to be used at his discretion for the benefit of St Jude's Church of England Randwick absolutely.

D. By reason of circumstances which have arisen after the creation of the trusts on which the The Avenue Land and the Clovelly Road Land are respectively held it is expedient that the land be sold and the proceeds applied as provided for herein.

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

### **Name**

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

### **Declarations of Inexpediency**

2. By reason of circumstances which have arisen after the creation of the trusts on which The Avenue Land and Clovelly Road Land are respectively held it is inexpedient to carry out and observe those trusts and it is expedient that each property be sold.

### **Sale Authority**

3. The Property Trust is empowered to sell The Avenue Land and the Clovelly Road 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 or sales 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 Avenue Land and the Clovelly Road Land shall be applied by the Property Trust in payment of all outgoings to which the land may be subject and the costs of and incidental to this Ordinance and the sale of the Land.

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 27 July 1998.

**M.A. PAYNE**

*Secretary*

I Assent to this Ordinance.

**B.F.V. KING**

*Commissary for Archbishop of Sydney*

31/7/1998