

Shellharbour (Warilla) Land Sale Ordinance 1995

No 39, 1995

Long Title

An Ordinance to permit the sale of certain land at Warilla and to provide for the application of the proceeds of sale.

Preamble

Whereas

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land (the "Land") comprised in Certificates of Title Folio Identifier 211/224606, 212/224606 and 213/224606 known as 6 Hill Street, Warilla.

B. The Land is church trust property held under the St Luke's Warilla Declaration of Trust and Mortgaging Ordinance 1976 on trust to permit the same to be used for the benefit of the Church of England within the provisional parish of Shellharbour (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 that the proceeds of sale be applied in the manner set out in this Ordinance.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the Synod Hereby Ordains, Directs, Declares and Rules as follows -

Citation

1. This ordinance may be cited as the "Shellharbour (Warilla) Land Sale Ordinance 1995".

Declaration

2. By reason of the 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 that the proceeds of sale be applied in the manner set out in this ordinance.

Power of Sale

3. (1) The Property Trust is authorised and empowered to sell the Land within 3 years after the date of assent to this ordinance and thereafter only with the consent of the Standing Committee given by resolution.
(2) Such sale may be by private agreement in one or more lots and for such price or prices and subject to such terms and conditions as the Property Trust may deem appropriate.

Application of Proceeds

4. The proceeds arising from the sale of the Land shall be applied by the Property Trust as follows -
 - (a) in payment of all outgoings to which that Land may be subject, the costs of and incidental to this ordinance and to the sale of the Land; and
 - (b) the balance is to be applied for one or both of the following -
 - (i) the acquisition of land in the Parish, to be held upon trust for the Parish; and
 - (ii) the construction of buildings on land in 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 23 October 1995.

W.G.S. GOTLEY
Secretary

I Assent to this ordinance.

R.H. GOODHEW
Archbishop of Sydney
15/11/1995