

Yagoona Land Sale Ordinance 2005

No 48, 2005

Long Title

An Ordinance to permit the sale of certain land at Birrong held on trust for the parish of Yagoona.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in folio identifiers 1/19799 and 2/19799 known as corner of Rodd Street and Auburn Road, Birrong (the "Land").

B. The Land is church trust property and forms part of the property of the Yagoona Trust which under the Yagoona Trust Ordinance 2004, is held on trust for the purposes of the parish of Yagoona.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is expedient that the Land be sold.

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

1. Name

This Ordinance is the Yagoona Land Sale Ordinance 2005.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is expedient that the Land be sold.

3. Power of Sale

The Property Trust is authorised to sell the Land by tender or private treaty at any time within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution whether given before or after that date.

4. Allocations from the Yagoona Trust

(1) Subject to clause 4(2), the Property Trust is directed that the personal property which forms part of the capital of the Yagoona Trust may be applied for the following purposes -

- (a) first, the costs of and incidental to this Ordinance and the sale of the Land, and
- (b) second, towards the costs of purchasing, modifying and fitting out a residence to become a new rectory or purchasing land and constructing and fitting out thereon a residence to become a new rectory, and
- (c) third, to finance the first stage of a redevelopment of the facilities at St Clement's Condell Park.

(2) No payment is to be made under clause 4(1) until the Land has been sold and the proceeds of sale paid to the Property Trust.

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

PG KELL
Chairman of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 November 2005.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
15/11/2005