

ST. ANDREW'S CATHEDRAL (SALE OF DEANERY) ORDINANCE 1988

NO. 19 1988

AN ORDINANCE to authorise the sale of certain property known as 2 Wallace Parade, Lindfield and to provide for the application of the proceeds of sale.

WHEREAS

- A. The land and improvements described in the Schedule hereto (hereinafter called "the property") is vested in fee simple in the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee").
- B. The property is Church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 held upon trust for and in connection with the St. Andrew's Cathedral Chapter and is used and maintained as a residence for the time being of the Dean of Sydney, but no trusts in writing have been declared concerning the property.
- C. It has been resolved by the said Chapter that the property should be sold and the proceeds of sale, inter alia, be used in or towards the acquisition of a substitute property within the Diocese to be held upon the same trusts as the property and to also be used and maintained as a residence for the Dean of Sydney from time to time.

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

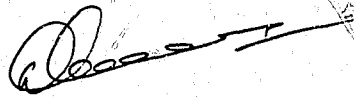
1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the property is held it is inexpedient to carry out and observe the same and it is expedient that the property be sold.
- [Handwritten signature]*
- [Handwritten mark]*

2. The Corporate Trustee is hereby empowered to sell the property within three years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee, by public auction or private contract in one or more lots and for such price or prices and upon and subject to such terms and conditions as the Corporate Trustee may determine, freed from the trusts upon which the property is now held.
3. The proceeds arising from the sale of the property shall, after paying thereout all outgoings to which the property may be subject, the costs of and incidental to this Ordinance and the costs of and incidental to the sale of the property shall be applied in or towards the following:
  - (a) Firstly, in or towards the purchase, construction or acquisition of a residence for the Dean of Sydney for the time being which residence shall be held upon trust for and in connection with the St. Andrew's Cathedral Chapter.
  - (b) Secondly, subject to the provisions of paragraph (a) hereof, any balance of such proceeds shall be held by the Corporate Trustee and invested and the income arising therefrom shall be capitalised subject to and pending any other determination in relation thereto for the purposes of St. Andrews Cathedral as may be made by resolution of the Standing Committee at the request of a majority of the members of the said Chapter.
4. Pending application, in accordance with Clause 3, of the proceeds arising from the sale of the property the proceeds shall be invested and the income arising therefrom shall be capitalised.
5. This Ordinance may be cited as the "St. Andrew's Cathedral (Sale of Deanery) Ordinance 1988".

SCHEDULE

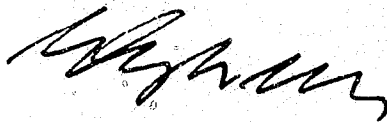
All that parcel of land in the Shire of Ku-ring-gai Parish of Gordon and County of Cumberland situate at Lindfield and containing approximately 31 1/4 perches and being part of Lot 15 in Deposited Plan No. 4195 and also shown in Plan marked "D" annexed to Order No. A496929 and comprising the whole of the land in Certificate of Title Volume 2984 Folio 163.

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 *26th* day of *September* 1988.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

*26/9/1988*

GRC/10/7681A