
St. Columb's West Ryde Ordinance 1969

No. 3, 1969

AN ORDINANCE to authorise the sale of certain land at Dickson Avenue West Ryde and to provide for application of the proceeds thereof and to amend the provisions of St. Columb's West Ryde Mortgaging Ordinance No. 16 of 1963.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land comprised in Certificate of Title Volume 5511 Folio 84 more particularly described in the Schedule hereto AND WHEREAS the said land is church trust property held for the benefit of the Parish of St. Columb West Ryde but no trusts in writing have been declared concerning the same AND WHEREAS there is a sum of approximately Two thousand eight hundred dollars (\$2,800) remaining owing to the Bank of New South Wales Savings Bank Ltd. in respect of moneys borrowed pursuant to the St. Columb's West Ryde Mortgage Ordinance No. 16 of 1963 AND WHEREAS it is expedient to amend the said 1963 Ordinance to provide wider powers of application under Clause 2 of such Ordinance AND WHEREAS by reason of circumstances which have arisen subsequent to the trust upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold and the proceeds applied as hereinafter stated NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which such trusts are hereby modified and it is now expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land described in the Schedule hereto by public auction or private contract at such time or times and at such price and upon such terms and conditions as the Parish Council of the said Parish and the Corporate Trustee may determine freed from any trusts whatsoever.

3. The proceeds arising from the sale of the said land after paying thereout any amount owing to the Bank of New South Wales Savings Bank Ltd. and the costs of and incidental to this Ordinance and of the sale or sales and transfers in pursuance thereof and all

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outgoings to which the land may be subject shall be paid to the Churchwardens of St. Columb's West Ryde and shall be applied by them in or towards the erection of a new rectory on the church site being the land comprised in Certificate of Title Volume 4583 Folio 157.

4. The St. Columb's West Ryde Mortgage Ordinance 1963 is hereby amended by adding to sub-clause (ii) of Clause 2 thereof the following words:—

"and for the erection of a Rectory on the land described in the first part of the said Schedule or for such other purposes as Standing Committee may by resolution determine"
and also by adding the following additional sub-clause:

"(iii) Any Mortgagee advancing moneys pursuant to the provisions of sub-clauses (i) or (ii) of this clause is hereby authorised to pay the same direct to the Churchwardens for the time being of St. Columb's West Ryde".

5. This Ordinance may be cited as "St. Columb's, West Ryde, Ordinance 1969".

SCHEDULE

All that piece or parcel of land situated at West Ryde in the Municipality of Ryde Parish of Hunters Hill County of Cumberland containing about 23½ perches being Lot 308 in Deposited Plan 16355 having a frontage to Dickson Avenue of about 45' by a depth on either side of 141' 3" and a rear line of about 45' and being the whole of the land comprised in Certificate of Title Volume 5511 Folio 84.

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 24th day of February, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

24/2/1969.