

ST. PAULS EMU PLAINS VESTING, VARIATION OF
TRUST AND SALE ORDINANCE 1986

NO. 20, 1986

AN ORDINANCE to vest certain property in the Anglican Church Property Trust Diocese of Sydney, to vary the trust upon which land at Emu Plains in the City of Penrith is held and to authorise the sale of part of the said land and to provide for the application of the proceeds thereof.

WHEREAS

A. In 1876 the land more particularly described in the First Schedule hereto (hereinafter called "the Land") was transferred to the Bishop of Sydney and has never been formally vested in the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee").

B. The Land has remained vacant since its grant in 1873.

C. The Land is held on trust for the purpose of the Anglican Church of Australia, and is church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 (hereinafter called "the Act").

D. It has been determined to seek approval for the subdivision of the land in the Second Schedule hereto to enable the land in the Third Schedule to be sold.

E. By reason of circumstances which have arisen subsequent to the creation of the trust upon which the Land is held it is inexpedient to carry out and observe the same and it is expedient that part of the Land being that land described in the Third Schedule be sold and the proceeds of the sale be applied as hereinafter set out.

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

1. The Land being church trust property is hereby vested in the Corporate Trustee pursuant to Section 19 of the Act and consent is hereby given to such vesting.
2. By reason of circumstances which have arisen subsequent to the creation of the trust upon which the Land is held it is inexpedient to carry out and observe the same to the extent that it is hereby varied and it is expedient that the land described in the Third Schedule be sold.
3. The Corporate Trustee is hereby authorised and empowered to sub-divide the land described in the Second Schedule hereto and to sell or otherwise dispose of the land described in the Third Schedule hereto within three years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution thereof at such price and upon such terms and conditions as the Corporate Trustee shall think fit freed from the trust upon which the land described in the Third Schedule is now held.
4. The proceeds arising from the sale hereby authorised shall be applied towards any outgoings to which the land described in the Third Schedule may be subject and the costs of and incidental to this Ordinance and the sale and transfer in pursuance hereof and the net proceeds shall be invested by the Corporate Trustee and

the income arising from such investment shall be added to the capital sum held.

5. The Churchwardens of St. Pauls Emu Plains shall, within 6 months after the completion of the sale of the land described in the Third Schedule, present an ordinance to the Synod of the Diocese of Sydney or the Standing Committee for the purpose of varying the provisions of this Ordinance as to either the application and distribution of the money invested under this Ordinance or the income arising from the investment, or both, having regard to the needs and commitments of the Parish of Emu Plains and organisations within the Diocese of Sydney.

6. This Ordinance may be cited as "St Pauls Emu Plains Vesting, Variation of Trust and Land Sale Ordinance 1986".

FIRST SCHEDULE

ALL THAT piece or parcel of land at Emu Plains in the City of Penrith Parish of Strathdon and County of Cook being Part of Lot 2 and Lots 3 - 10 inclusive, being the land comprised in Certificate of Title Volume 246 Folio 80.

SECOND SCHEDULE

ALL THAT piece or parcel of land at Emu Plains in the City of Penrith Parish of Strathdon and County of Cook being Lot 3 and part of the land comprised in Certificate of Title Volume 246 Folio 80.

THIRD SCHEDULE

ALL THAT piece or parcel of land at Emu Plains in the City of Penrith Parish of Strathdon and County of Cook being Lots 4, 5, 6, 7, 8, 9, 10 and being Part of Lot 3 coloured pink in the Plan annexed hereto and marked with the letter "A" being part of the land comprised in Certificate of Title Volume 246 Folio 80.

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

E.D.CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28 day of July 1986.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance

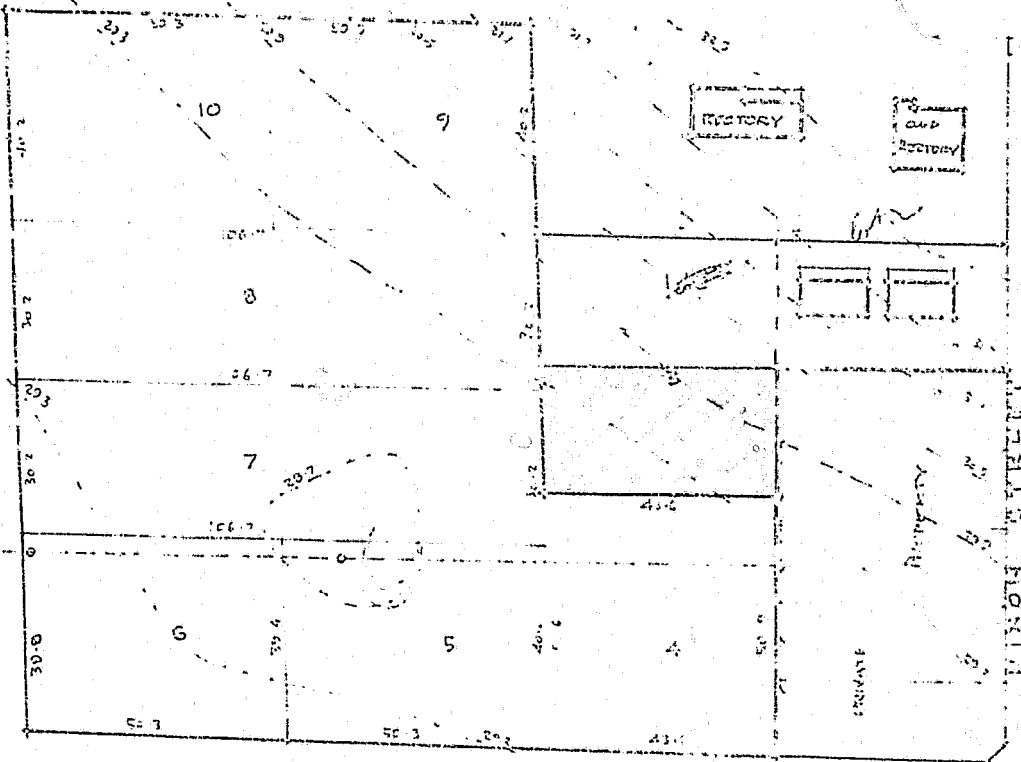
DONALD ROBINSON
Archbishop of Sydney
12/8/1986

ANNEXURE 'A'

ROBIN MOKAY
ARCHITECT



SHORT STREET



PYRAMID STREET
CAMP PLANS

SCALE 1:1000



Handwritten signature or initials.