

ASHCROFT SALE AND VARIATION OF TRUSTS ORDINANCE 1985

NO. 48, 1985

AN ORDINANCE to vary the trusts and to authorise the sale of certain land at Ashcroft and to provide for the application of the proceeds of sale.

WEREAS:

A. Church of England Property Trust Diocese of Sydney (now known as Anglican Church Property Trust Diocese of Sydney) (hereinafter called "the corporate trustee") is registered as proprietor of the lands described in the First Schedule. 5

B. The land is church trust property which was acquired by and held on trust for the purposes of the Sydney Church of England New Areas Committee (hereinafter called the "New Areas Committee").

C. The Provisional Parish of Sadleir was created on 1st January 1985. 10

D. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land is held it is inexpedient to carry out and observe the same and it is expedient that the same be varied as hereinafter provided. 15

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 AND RULES as follows:

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described is held it is inexpedient to carry out and observe the same and it is expedient that the land be subdivided and part thereof be sold and the trusts on the part retained varied. 20

2. The corporate trustee is hereby authorised and empowered to subdivide the land and grant or create any necessary easements covenants or the like and sell part thereof as set out in the Second Schedule within three years after the date of assent to 25

this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private contract at such time as it may determine freed from the trusts upon which the land is held. 30

3. The proceeds arising from the sale or sales shall be applied as follows:-

(a) First to pay all outgoings to which the land or part thereof may subject, the costs of and incidental to this Ordinance and the subdivision and sale pursuant thereto. 35

(b) Secondly the balance for the purposes of the New Areas Committee. In considering any application of the proceeds the said Committee shall take into account the requirements of the Provisional Parish of Sadleir for capital expenditure. To the extent necessary, the said committee is hereby authorised to consider and make such payments. 40

4. The land to be retained as set out in the Third Schedule shall be held on trust for the Provisional Parish of Sadleir. 45

5. This ordinance may be cited as the "Ashcroft Sale and Variation of Trusts Ordinance 1985".

FIRST SCHEDULE

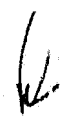

ALL THAT land situate at Green Vally being Lots 95, 96 and 119 in D.P. 216018 and being the whole of the land in Certificates of Title Volume 9448 Folios 121, 122 and 145 respectively.

SECOND SCHEDULE

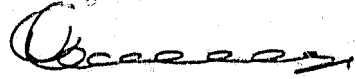
All that land being Lots 1, 2 and 3 in plan of sub-division of Lots 95, 96 and 119 in D.P. 216018 prepared by Graham Ross Turnbridge and dated 15 November 1984 and having an area of 1724.7 square metres approximately.

THIRD SCHEDULE

All that land being lot 4 in plan of sub-division of Lots 95, 96 and 119 in D.P. 216018 prepared by Graham Ross Turnbridge and dated 15 November, 1984 and having an area of 566.3 square metres approximately.



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 16th day of December 1985.



Secretary

I ASSENT to this Ordinance



Archbishop of Sydney
16 / 12 1985

