

BERKELEY LAND SALE ORDINANCE 1985

No. 46, 1985

AN ORDINANCE to authorise the sale of certain land situate at Buena Vista Avenue, Lake Heights and to provide for the application of the proceeds thereof.

WHEREAS:

The Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor in fee simple of the land described in the Schedule hereto

(hereinafter called "the land") AND WHEREAS the land is church trust property within the meaning of the Anglican Church of

Australia Trust Property Act, 1917 (as amended) held for the sole benefit of the Anglican Church of Australia Diocese of Sydney but

no trusts have been declared in writing concerning the same AND WHEREAS by reason of circumstances which have arisen subsequent

to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient

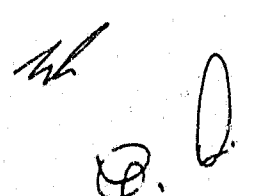
that the land be now sold and the proceeds applied as hereinafter set out.

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 AND RULES as follows:

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

2. The Corporate Trustee is hereby authorised to sell the land within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement in one or more lots and for such price or prices and on and subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate freed from the trusts upon which it is now held.



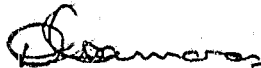
3. The proceeds arising from the sale after paying thereout the costs of and incidental to this Ordinance and the sale or sales and transfer or transfers pursuant thereto and all outgoings to which the land is subject shall be paid to the Churchwardens of the Church of St Philip at Berkeley and be applied by them towards the cost of erection of a residence for a Minister or a Parish Worker on property held in the name of the Anglican Church Property Trust Diocese of Sydney situate in the Provisional Parish of Berkeley. PROVIDED that pending such application the amount held shall be invested and the income arising therefrom shall be capitalised. 30 35

4. This Ordinance may be cited as the "Berkeley Land Sale Ordinance 1985". 40

SCHEDULE

ALL THAT piece or parcel of land situate at Lake Heights in the Parish of Wollongong and County of Camden being Lots 291 and 292 in Deposited Plan 15174 being the whole of the land in Certificate of Title Volume 5068 Folio 156.

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 25th day of November 1985



Secretary

I ASSENT to this Ordinance



Archbishop of Sydney

25 / 11 / 1985

