

BOARD OF EDUCATION ORDINANCE 1979No. 5 1979

AN ORDINANCE to vary the trusts of certain land and to authorise the sale of certain other land.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the owner of the land described in the First and Second Schedules hereto (hereinafter called the "said lands").

B. The said lands are church trust property within the meaning of the Church of England Trust Property Act 1917 as amended.

C. The said lands are held upon trust for the Board of Education Diocese of Sydney.

D. The Board of Education is managed and controlled by the Council of the Board of Education Diocese of Sydney being a body corporate incorporated pursuant to the Church of England (Bodies Corporate) Act 1938.

E. No trusts have been declared in writing with regard to the said lands.

F. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied.

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 subsequent to the creation of the trusts on which the land described in the First Schedule hereto is held it is expedient that the same be varied and are hereby varied so that the land be now held by the Corporate Trustee upon trust for the purposes of the Estate of the late Marian Annette Grant.

2. In consideration thereof the Corporate Trustee is hereby authorised and directed to pay to the Council of the Board of Education Diocese of Sydney the sum of 483,000 to be applied by the said Council for the general purposes of the said Board.

3. By reason of circumstances subsequent to the creation of the trusts on which the land described in the Second Schedule hereto is held it is expedient that the land be now sold and the proceeds therefrom applied in the manner hereinafter provided.

4. The Corporate Trustee is hereby authorised and empowered to sell the land described in the Second Schedule hereto by auction or private treaty and for such consideration and on and subject to such terms and conditions as to the Corporate Trustee shall seem appropriate.

5. The proceeds arising from such sale shall be applied in meeting all costs of and incidental to this Ordinance and such sale and subject thereto the

2.

balance shall be paid to the said Council to be applied for the general purposes of the said Board.

6. This Ordinance may be cited as "Board of Education Ordinance 1979"

FIRST SCHEDULE

ALL THAT piece or parcel of land being the whole of the land comprised in Certificate of Title Volume 4692 Folio 107 situated at Lindfield in the Municipality of Kuringgai Parish of Gordon and County of Cumberland containing 29-3/4 perches or thereabouts being Lot D in Deposited Plan 12 having a frontage to Larool Avenue of fifty feet (50').

SECOND SCHEDULE

ALL THAT piece or parcel of land being the whole of the land comprised in Certificate of Title Volume 3385 Folio 59 situated at Chatswood in the Municipality of Willoughby Parish of Willoughby and County of Cumberland being part portion 295 having a frontage to Centennial Avenue of fifty feet (50') by a depth along Dardanelles Road of one hundred and fifty feet (150').

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

[Signature]

Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 19th day of February 1979.

[Signature]

Secretary

I ASSENT to this Ordinance.

[Signature]

Archbishop of Sydney.

19/2/1979