

EAGLE VALE SALE ORDINANCE 1989

No 45, 1989

AN ORDINANCE to authorise the sale of certain land at Eschol Park and to provide for the application of the proceeds of sale.

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (formerly known as Church of England Property Trust Diocese of Sydney) (hereinafter called "The Corporate Trustee") is registered as proprietor of Lot 2178 in DP 260403 being the whole of the land comprised in Certificate of Title Volume 14212 Folio 178 known as 9 Chardonnay Avenue, Eschol Park ("Chardonnay Avenue").

B. Pursuant to Sydney Anglican Home Mission Society (Sydney Church of England New Areas Committee) Ordinance 1986 Chardonnay Avenue is held on trust for the Sydney Anglican Home Mission Society Council ("HMS") to be applied in providing a pastoral ministry in areas which by reason of rapid increase in population are, or were, unable in their early development to support a ministry.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts on which Chardonnay Avenue is held namely that Chardonnay Avenue is no longer required for the purposes of HMS it is now expedient that Chardonnay Avenue be sold.

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 Chardonnay Avenue is held it is now expedient that Chardonnay Avenue be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell Chardonnay Avenue within three years after the date of assent to 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 Chardonnay Avenue is held.

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

(a) First to pay all outgoings to which Chardonnay Avenue may be subject and the costs of and incidental to this Ordinance and the sale pursuant thereto.

(b) Secondly, to repay Sydney Church of England Finance and Loans Board the amount not exceeding \$120,000.00 advanced by the Board to HMS and used by HMS to complete the purchase of a property known as 28 Serpentine Place, Eagle Vale.

(c) Thirdly, the balance to be paid to HMS to be applied in providing a pastoral ministry (including the purchase of land and the erection of buildings) in the types of areas hereinbefore recited.

4. This Ordinance may be cited as the "Eagle Vale Sale Ordinance 1989".

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

E.D. CAMERON
Chairman of Committses

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on this 27th day of November 1989.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

27 /11 /19

DONALD ROBINSON
Archbishop of Sydney