

LONGUEVILLE SALE AND RESOURCES ORDINANCE 1985

NO. 36 ,1985

An Ordinance to implement redeployment of resources, to authorise the sale of property, to vary trusts, and to provide for the application of proceeds of sale.

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called the property trust) is registered as proprietor of the land and property described in the Schedule hereto (hereinafter referred to as the property). 5

B. The property is believed to be Church Trust property held upon trust for the Anglican Church in Australia for the Parish of Longueville in the Diocese of Sydney and has been used by the Parish as its branch Church of St. Mark for supplementary worship services and Sunday School activities but no trusts in writing have been declared. 10

C. By virtue of powers vested in him the Archbishop of Sydney has agreed to the delicensing of St Mark's Church from 25th November, 1985.

D. The Synod of the Diocese of Sydney by its resolution numbered 44 of 1984 has called upon parishes in developed areas to consider redeployment of their resources to other areas of the Diocese where new growth and development of ministry are urgently required. 15

E. In response to this Resolution and by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the property is held it is inexpedient to carry out and observe those trusts and it is expedient to vary the trusts to the extent necessary to enable the property to be sold and to deal with and apply the proceeds of sale in the manner hereinafter set forth. 20 25

NOW the Standing Committee of the Synod of the Diocese of Sydney HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. This Ordinance may be cited as the "Longueville Sale and Resources Ordinance 1985". 30

2. In conformity with the Resolution for consideration of redeployment of resources and by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the property is held it is now inexpedient to carry out and observe those trusts and it is expedient to vary the trusts and to sell the property and to apply the proceeds of sale as hereinafter set out. 35

3. The Property Trust is HEREBY AUTHORISED AND EMPOWERED to sell the property within THREE (3) years from the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee (expressed by resolution thereof) by public auction or private contract in one or more lots at such time and for such price or prices and upon and subject to such terms and conditions as it may think fit free from the trusts upon which the property is held.

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4. Any sale of the property shall be conditional upon and subject to the delicensing of the building erected thereon as hereinbefore recited.

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5. The proceeds from the sale of the property (after deduction only of costs and fees of and incidental to this Ordinance and the sale) and any income derived therefrom shall be paid by the Property Trust to the Archbishop of Sydney's Vision for Growth Appeal Fund for application to or towards all or any (or partly towards one and partly towards other or others) of the following:-

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- (a) the acquisition of land with or without improvements for use in or by one or more of the centres of Anglican ministry in the Diocese of Sydney designated or to be designated by the Archbishop of Sydney's Vision for Growth Appeal Committee as an area or areas where need for new or expanded ministry is urgent or desirable.
- (b) the purchase construction fitting out furnishing or other improvement of a building or buildings on land held or to be held by the Property Trust or other proprietor on trust for any one or more of such centres;
- (c) the provision of or to assist with the cost of providing ministry by clergy or other personnel in any such centre or centres;
- (d) the payment repayment discharge or satisfaction of mortgage loans or commitments (including interest and other charges thereon) entered into by or on behalf of any person or body to promote or assist with new or expanded ministries in any one or more of such centres; or
- (e) otherwise as may from time to time be considered necessary or expedient to promote or contribute to the development or expansion of ministry under the Vision for Growth programme in the Diocese of Sydney.

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as determined by the Parish Council of the Parish of Longueville in consultation with the Director for the Archbishop of Sydney's Vision for Growth App@al Committee.

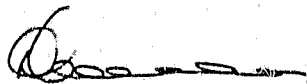
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6. Pending any application of funds under clause 5 the proceeds of sale or any residue for the time being in hand shall be invested and the income capitalised.

SCHEDULE

ALL THOSE pieces or parcels of land in the Municipality of Lane Cove Parish of Willoughby and County of Cumberland being lots 218 and 219 in Deposited Plan 10801 and being the whole of the lands comprised in Certificates of Title Volume 4072 Folio 46 and Volume 3723 Folio 46 respectively and occupied as St. Mark's Church, 24 to 26 Taleeban Road, Lane Cove.

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



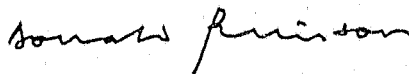
Chairman of the Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the ^{28th} day of ^{October} 1985.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.
28 / 10 / 1985