

ST. ALBAN'S LEURA LAND SALE ORDINANCE 1977No. 32 1977

AN ORDINANCE to vary the trusts of certain land at Leura in the City of the Blue Mountains to authorise the sale of such land and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the whole of the land in Certificate of Title Volume 3430 Folio 40 more particularly described in the Schedule hereto AND WHEREAS the said land is church trust property held upon trust to permit the same to be used for the benefit of the Parish of St. Alban Leura 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 said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied AND WHEREAS 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 such Synod HEREBY DECLARED ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the schedule hereto is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the land be sold as hereinafter set out.

2. The Corporate Trustee is hereby empowered to sell the land described in the Schedule hereto by public auction or private contract at such time or times at such price and upon such terms and conditions as the Corporate Trustee determines freed from the trusts upon which it is now held. The proceeds arising from the said sale shall be applied as follows:-

- (a) first, in the payment of the costs of and incidental to this Ordinance and sale;
- (b) secondly, to meet the costs of construction of the new rectory and all costs incidental thereto including the payment of rentals for alternative accommodation for the incumbent for the time

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being of St. Alban's Leura and pending such payment the capital sum shall be invested by the Corporate Trustee and the income derived therefrom shall be capitalised;

(c) thirdly, any residue shall be paid to the churchwardens for the time being of St. Alban's Church Leura for such purposes as shall be determined by resolution of the parish council of the said parish.

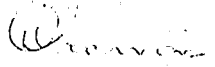
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3. This Ordinance may be cited as "St. Alban's Leura Sale Ordinance 1977".

SCHEDULE

ALL THAT piece or parcel of land situate in the City of the Blue Mountains at Leura in the Parish of Megalong and County of Cook being part of Lots 1 and 2 of Section 11 in Deposited Plan No. 1175 having a frontage of sixty feet to Craigend Street by a depth of 271'9" and 273'0 1/2" and comprising the whole of the land in Certificate of Title Volume 3430 Folio 40 and subject to reservations and conditions contained in original Crown Grant.

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



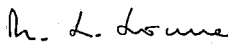
Deputy Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 26th day of September 1977.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

26/9/1977.