
*"The St. Columb's (Ryde) Old Site Land Sale (Amendment)
Ordinance of 1932."*

No. 12. 1932.

AN ORDINANCE to amend "The St. Columb's (Ryde) Old Site Land Sale Ordinance of 1925" and to authorise the sale and/or Mortgage of the Present Site of St. Columb's Church and to provide for the application of the proceeds thereof and to authorise the purchase and/or Mortgage of a New Site.

WHEREAS by "The St. Columb's (Ryde) Old Site Land Sale Ordinance of 1925" (hereinafter called Principal Ordinance) it was ordained declared directed and ruled, inter alia, that the land described in the Schedule thereto (hereinafter referred to as Old Site) be sold in the manner and on the terms and conditions therein mentioned and that the proceeds arising from the sale thereof be applied as therein mentioned AND WHEREAS the land described in Certificates of Title Volume 2670 Folio 135 and Volume 3483 Folio 227 (hereinafter referred to as Present Site) was acquired and the Old Site was by the Church of England Property Trust Diocese of Sydney (hereinafter referred to as Property Trust) under and by virtue of the powers and authorities conferred by the Principal Ordinance duly sold AND WHEREAS the Present Site which is Church Trust property has become unsuitable for further use for the purposes for which the same was purchased and of the trusts to which the same is subject and devoted AND WHEREAS it has become expedient that the Present Site should be mortgaged and or sold and that provision be made for the application of the proceeds of such mortgage and/or sale and for the application in manner otherwise than by the Principal Ordinance provided of the unexpended proceeds of the Sale of the Old Site AND WHEREAS it has become expedient that a New Site be acquired for the purpose of erecting thereon a Church of St. Columb a Parsonage a Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District of West Ryde with Ermington AND WHEREAS the said Provisional District by its Rector and Church Wardens has undertaken that it will raise a sum of not less than One Hundred pounds each year towards paying off the moneys borrowed under the authority of this Ordinance Now THE Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the

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Church of England Trust Property Act 1917 and the Land Ordinance Procedure and Delegation of Powers Ordinance 1926 of the said Synod appointing the Standing Committee for the purpose of exercising during the recess of the Synod the powers and functions in the said Ordinance referred to and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales or otherwise in the name and in place of the said Synod ordains declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the Trusts aforesaid it has become expedient that the Present Site should be mortgaged and/or sold and that the net proceeds of such mortgage and/or sale together with the now unexpended proceeds of the sale of the Old Site should notwithstanding anything to the contrary heretofore enacted or declared be applied in manner hereinafter expressed.

2. The Present Site may at any time hereafter be sold by public auction or by private contract and either in one lot or in parcels at such price or prices and upon such terms and conditions as the Property Trust may deem proper freed and discharged from the said recited Trusts and such sale may be made subject to such stipulations or conditions as the Property Trust may deem proper and in all cases with power for the Property Trust to buy in at any sale by auction or otherwise and to rescind or vary any contract for sale and to enter into any contracts for sale of the said land or any portion thereof and for carrying into effect any such sale or sales and for all or any of the purposes aforesaid the Property Trust is hereby authorised to execute and do all such mortgages transfers assurances and things as the Property Trust shall think fit.

3. That the land described in the Schedule hereto or such other land as shall be approved by Resolution of the Standing Committee (hereinafter referred to as New Site) situated in the Provisional District of West Ryde with Ermington be acquired by purchase upon such terms and conditions as the Property Trust may deem proper to be held upon Trust for a Site for a Church to be called "Church of St. Columb West Ryde" a Parsonage a Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District of West Ryde with Ermington.

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4. (1) That the Property Trust is hereby empowered to mortgage from time to time the whole or any part of the Present Site and/or the New Site which may be acquired for the purpose of borrowing such sum as the Standing Committee shall by resolution determine.

(2) Any renewal of a Mortgage shall be deemed to be an exercise of the said power.

(3) A document purporting to be a copy of a resolution and purporting to be certified by the Archbishop or the Registrar of the Diocese shall in favour of a Mortgagee or any person or corporation claiming under a Mortgagee be conclusive evidence that a resolution in the terms of the document was duly passed.

(4) For all or any of the purposes aforesaid the Property Trust is hereby authorised to execute and do all such mortgages renewals of mortgages assurances and things as the Property Trust shall think fit.

5. That the net proceeds received from any mortgage and/or sale or sales of the Present Site and/or any mortgage of the New Site shall be paid to the Property Trust and together with the now unexpended proceeds of the sale of the Old Site shall be applied in paying Firstly the expenses of and incidental to this Ordinance and Secondly the expenses of and incidental to any sale or sales and/or mortgage or mortgages authorised under this ordinance and Thirdly the purchase and other moneys required for acquiring land for the purposes set forth in Clause 3 of this Ordinance and the expenses of and incidental thereto and Fourthly in and towards the cost and expense of the erection on the New Site when acquired of a Church to be called Church of St. Columb West Ryde a Parsonage a Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District of West Ryde with Ermington.

6. Any part of the said proceeds of sale and/or mortgage available for investment may be invested by the Property Trust in any stocks funds or securities of or guaranteed by the Government of the Commonwealth or any of the States of the said Commonwealth or upon Mortgage of freehold properties in any part of New South Wales or by deposit at interest with any Government Savings Bank or any joint stock company carrying on the business of bankers in Sydney with full power to the

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Property Trust from time to time to vary any such investments for any other or others of them.

7. The Principal Ordinance is hereby amended insofar as the same be inconsistent with this Ordinance but so that such amendment shall not affect or invalidate any act matter or thing heretofore done in pursuance of the Principal Ordinance.

8. This Ordinance shall be styled and cited as "The St. Columb's (Ryde) Old Site Land Sale (Amendment) Ordinance of 1932."

THE SCHEDULE.

Part of the land in Certificate of Title Volume 3623 Folio 38 and being the land at the corner of Nunnington Avenue and Dickson Avenue, West Ryde, having a frontage of approximately one hundred and eighty-nine feet to Nunnington Avenue and two hundred and twenty-five feet to Dickson Avenue.

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

W. J. G. MANN,
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this twenty-eighth day of November, 1932.

C. R. WALSH,
Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

30th November, 1932.