
St. Faith's Narrabeen Vesting and Land Sale Ordinance
1972

No. 49, 1972

AN ORDINANCE to vest certain land at Powderworks Road Elanora Heights in Church of England Property Trust Diocese of Sydney, to authorise the sale of the same and other adjoining land and to provide for the application of the proceeds thereof.

WHEREAS the Reverend William St. Andrew Osborne-Brown is the registered proprietor of the land more fully described in the First Schedule hereto AND WHEREAS the said land is church trust property held upon trust for the Parish of St. Faith Narrabeen but no trusts in writing have been declared concerning the same AND WHEREAS it is expedient that the said land be vested in Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") AND WHEREAS the Corporate Trustee is the registered proprietor of the land more fully described in the Second Schedule hereto AND WHEREAS the lastly said land is church trust property held upon trust for the Parish of St. Faith Narrabeen but no trusts in writing have been declared concerning the same AND WHEREAS it is expedient that the said lands be sold and the proceeds applied as hereinafter set forth 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. The land described in the First Schedule hereto be and is hereby vested in the Corporate Trustee.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts of the lands described in the Schedules hereto (hereinafter called the "said lands") it is expedient that the said lands be sold.

3. The Corporate Trustee is hereby empowered to sell the said lands in one or more parcels by public auction or by private contract at such time or times at such price or prices, and upon such terms and conditions as it shall think fit freed from the trusts upon which they are now held.

4. The proceeds arising from the sale of the said lands after paying thereout the costs and expenses of and incidental to this Ordinance and to any subdivision and the sale or sales thereof shall be paid to the Churchwardens for the time being of the Church of St. Faith Narrabeen and shall be applied by them:—

- (a) first, to discharge all debts presently owed to the Sydney Church of England Finance and Loans Board and to the Sydney Church Endowment Fund in respect of all or any properties held upon trust for the said Parish.

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- (b) secondly, to discharge the debt presently owed to the Mutual Life and Citizens Assurance Company Limited and secured by way of mortgage over the property known as No. 97, Claudare Street, Collaroy.
 - (c) thirdly, to pay any arrears of diocesan assessments outstanding at the date on which this Ordinance is assented to.
 - (d) fourthly, to enable the rebuilding of that part of the said Church in which the organ presently stands and to enable the renovation and restoration of the said organ.
 - (e) in the event thereafter of there being any residue, for such general purposes of the said Parish as may be approved by the Standing Committee by resolution.
5. This Ordinance may be cited as "St. Faith's Narrabeen Vesting and Land Sale Ordinance 1972".

FIRST SCHEDULE

ALL THAT piece or parcel of land situated at Elanora Heights in the Shire of Warringah Parish of Narrabeen and County of Cumberland having a frontage of about 88' to Powderworks Road with a depth on the Eastern boundary of about 153' 10½" and the Western boundary of about 161' 7½" and having an area of about 1 rood 12 perches being Lot 167 in Deposited Plan 22670 and being the whole of the land comprised in Certificate of Title Volume 7165 Folio 35.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated as aforesaid having a frontage of about 81' to Powderworks Road with a depth on the Eastern boundary of 161' 7½" and on the Western boundary of about 168' 9½" and having an area of about 1 rood 10 perches being Lot 166 in Deposited Plan 22670 and being the whole of the land comprised in Certificate of Title Volume 8608 Folio 139.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 11th day of December, 1972.

W. L. J. HUTCHISON,
Secretary

I ASSENT to this Ordinance.

11/12/1972.

MARCUS LOANE,
Archbishop of Sydney.