

ST. JAMES NORTH ROCKS SALE ORDINANCE, 1975No. 19 1975

AN ORDINANCE to authorise the sale of certain land and buildings at North Rocks in the Shire of Baulkham Hills and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor in fee simple of the land comprised in Certificates of Title Volume 10594 Folios 76-79 (inclusive) more particularly described in the Schedule hereto AND

5 WHEREAS the Church of St. James North Rocks and other parochial buildings are erected upon the land which is church trust property held for the sole benefit of the Parish of St. Paul's Carlingford with St. James North Rocks but no trusts in writing have been declared concerning the same

AND WHEREAS by reason of the movement of population and development in
10 the said Parish since the erection of the said Church it has been deemed advisable that a new Church and associated buildings be erected in a more central area of the said Parish 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 now proposed to sell the said
15 land and buildings thereon and to apply the net proceeds 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 DECLARES RULES AND ORDAINS as follows:-

1. By reason of circumstances which have arisen subsequent to the
20 creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe such trusts or to deal with such property for the same or like purposes and it is expedient that the land and buildings thereon be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell
25 the said land and buildings by public auction or private contract either together or in parcels at such time or times for such price or prices and upon such terms and conditions as it may determine freed from the trusts now affecting the same.

3. The proceeds arising from the said sale or sales shall after paying
 30 thereout all outgoing and mortgages to which the land may be subject
 including any indebtedness to the Sydney Church of England Finance and
 Loans Board in relation to the said land and buildings the costs of and
 incidental to this ordinance and the sale and transfer pursuant thereto
 be applied towards the acquisition of another site in the said Parish
 35 and for the erection thereon of a new church, rectory, parish hall and
 any other appurtenant buildings or any one or more of them for the use
 and benefit of the said Parish and for any prescribed furnishings of a
 rectory and furnishings for any such church, parish hall or other
 buildings and the costs of and incidental to the purchase of such site
 40 and erection of such buildings PROVIDED THAT until so used and applied
 the capital shall be invested by the Corporate Trustee and the income
 arising therefrom shall be added to the principal sum or at the request
 of a majority of the Parish Council of the said Parish and with the
 approval by resolution of the Standing Committee the whole or any part
 45 of the said income shall be ^{released} ~~paid~~ and paid to the Churchwardens of
 the ~~parish~~ principal
 Church of the said Parish.
4. This Ordinance may be cited as "St. James North Rocks Sale Ordinance,
 1975".

SCHEDULE

ALL THOSE pieces or parcels of land situate at North Rocks in the Shire
 of Baulkham Hills Parish of Field of Mars County of Cumberland being
 Lots 6-9 (inclusive) in Deposited Plan 233450 of an area of 3 roods
 17½ perches and being the whole of the land comprised in Certificates
 of Title Volume 10594 Folios 76-79 (inclusive).

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

D. Cameron
Deputy Chairman of 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 July 1975.

W.G.S. Gotley
Secretary

I ASSENT to this Ordinance.

M.L. Loane
Archbishop of Sydney
 28/7 /1975