

ST. JAMES SYDNEY RECTORY SALE ORDINANCE 1976

No. 24 1976

AN ORDINANCE to authorise the sale of certain land at Double Bay in the Municipality of Woollahra 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 Certificate of Title Volume 10495 Folio 95 more particularly described in the Schedule hereto AND WHEREAS the said property is church trust property held for the sole benefit of the Parish of St. James Sydney and used and occupied as the rectory of the said parish but no trusts in writing have been declared 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 and it is expedient that the land be 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 the said Synod HEREBY DECLARES RULES AND ORDAINS 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 and it is expedient that the said land be now sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the said land by public auction or private contract at such time at such price and upon such terms and conditions as it may determine freed from the said trusts.

3. The proceeds arising from the said sale shall after paying thereout all outgoings to which the land is subject and the costs of and incidental to this ordinance and to the said sale and transfer pursuant thereto be applied firstly in payment of the purchase of another rectory for the said parish and the costs of and incidental thereto and any prescribed furnishings for which the churchwardens are responsible pursuant to the provisions of the Sydney Church Ordinance 1912-1975 or in repayment of any money temporarily borrowed for that purpose and the balance

30 shall be held by the Corporate Trustee and invested by it and the net income arising therefrom shall be paid to the churchwardens for the time being of St. James Church Sydney and applied by them for general church purposes in connection with the said parish in accordance with the Sydney Church Ordinance 1912-1975.

35 4. This ordinance may be cited as "St. James Sydney Rectory Sale Ordinance 1976".

SCHEDULE

ALL THAT piece or parcel of land situated at Double Bay in the Municipality of Woollahra Parish of Alexandria and County of Cumberland being Lot 2 in Strata Plan Number 2583 and being the whole of the land in Certificate of Title Volume 10495 Folio 95.

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 30th day of August 1976.

W. Gotley

Secretary

I ASSENT to this Ordinance.

M.L. Loane

Archbishop of Sydney

30 / 8 / 76