

ST JOHN'S KINGS CROSS LEASE DISTRIBUTION ORDINANCE 1991

No 7, 1991

An Ordinance to authorise the distribution of certain rental moneys.

WHEREAS pursuant to and in accordance with the St John's Kings Cross Leasing Ordinance 1988 (hereinafter called "the 1988 Ordinance") the land described in the Schedule (hereinafter called "Leased Site") was leased for a term of five (5) years upon the terms and conditions set forth in such Ordinance AND WHEREAS the 1988 Ordinance made certain provisions concerning the rental moneys arising from or incidental to such lease during the first year of the term hereof and furthermore provided that as to the second and subsequent years of the term thereof such moneys should be paid in accordance with a further ordinance the bill for which should be presented by the Churchwardens of the said Church before 1 April 1989 AND WHEREAS in compliance with the hereinbefore recited obligation the said Churchwardens presented a bill for a further ordinance and in pursuance thereof the St John's Kings Cross Lease Distribution Ordinance 1989 was passed whereby certain provisions were made concerning the rental moneys arising from and incidental to such lease during the second year of the term thereof and whereby it was furthermore provided that as to the third, fourth and fifth years of the term thereof such moneys be paid in accordance with a further ordinance the bill for which should be presented by the said Churchwardens before 1 April 1990 AND WHEREAS in compliance with the hereinbefore recited obligation the said Churchwardens presented a bill for a further ordinance and in pursuance thereof the St John's Kings Cross Lease Distribution Ordinance 1990 was passed whereby certain provisions were made concerning the rental moneys arising from and incidental to such lease during the third year of the term thereof and whereby it was furthermore provided that as to the fourth and fifth year of the term thereof such moneys should be paid in accordance with a further ordinance the bill for which should be presented by the said Churchwardens before 1 April 1991 AND WHEREAS the within Ordinance is presented by the said Churchwardens in compliance with the hereinbefore recited obligation.

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 rental monies arising from or incidental to the Lease herein referred to and all other moneys accruing to or payable to the Property Trust arising from or incidental to such lease shall be paid by the Property Trust in payment of costs of and incidental to this Ordinance and subject to such administrative charges and commissions properly payable to the Property Trust then such moneys shall be held and paid upon trust as follows:

- (a) As to each of the fourth year and the fifth year of the term of the said Lease such moneys shall be paid:
 - (i) as to a ten per centum (10%) share thereof, to the Inner City Committee;
 - (ii) as to one per centum (1%) share thereof, to the Church Missionary Society to be used in such manner as the New South Wales Council of the said Society shall determine from time to time; and
 - (iii) as to the balance of each of such years, then in accordance with the provisions of subparagraph (b) hereof.
- (b) As to the said balance of the said moneys in respect of each of such years then:
 - (i) firstly, in or towards the payment of stipends, allowances or remuneration of clerical and/or laypersons (other than the stipend and allowances of the rector) working on a full or part time basis within the Parish or within adjacent areas in the Diocese in the fourth year to the extent of the sum of \$67,500 and in the fifth year to the extent of the sum of \$70,000;
 - (ii) secondly, in the fourth year to the extent of the sum of \$82,000 in or towards repayment of all principal and interest owed in respect of the Parish to any bank or lending institution;
 - (iii) thirdly, in the fourth year to the extent of the sum of \$10,000 and in the fifth year to the extent of \$20,000 in or towards the planning and development of the real estate resources and pastoral ministry of the Parish and the obtaining of incidental advice and reports relating thereto, such sums to be paid to and held and invested by the Property Trust and paid or

ST JOHN'S KINGS CROSS LEASE DISTRIBUTION ORDINANCE 1991

applied in or towards the said purposes or any of them from time to time at the request of the Churchwardens for the time being of St John's Kings Cross with the approval of the said Corporate Trustee;

- (iv) fourthly, in the fourth year the sum of \$22,500 shall be paid to the said Churchwardens and paid or applied by them in or towards the diocesan assessment due and payable by the said Parish during the financial year commencing 1 January 1993 and, in the fifth year the sum of \$23,000 shall be paid or applied as aforesaid in or towards the diocesan assessment due and payable by the said Parish during the financial year commencing 1 January 1994, and in the meantime such sums shall be invested by the said Churchwardens pending such payment or application;
- (v) fifthly, as to the residue of the moneys in each of such years respectively as to the capital and any income thereof, then such moneys shall be paid to the said Churchwardens in or towards the maintenance, refurbishing, repair, renovation and restoration of St John's Rectory, the Church building and the fencing and walls adjacent to the church.

PROVIDED THAT pending payment or application as aforesaid the said moneys shall be invested by the Property Trust.

- 2. This Ordinance may be cited as the "St John's Kings Cross Lease Distribution Ordinance 1991".

SCHEDULE

All that piece or parcel of land containing about 1 rood 12 perches being part of the land in Crown Grants of 28th October 1857 and 27th March 1850 for Church, parsonage and school situated in the City of Sydney Parish of Alexandria County of Cumberland State of New South Wales, commencing at a point on the Western alignment of Victoria Street bearing 1 degree 3 minutes and distant 383 feet 5 inches from the intersection of the western alignment of that street with the northern alignment of Liverpool Street and bounded thence on the east by part of the aforesaid western alignment of Victoria Street being a line bearing 1 degree 3 minutes for 123 feet to the south eastern corner of land comprised in Primary Application No 28790 on the North by the Southern Boundary of the land comprised in that Application being a line passing along the southern face of brick wall bearing 269 degrees 31 minutes 30 seconds for 125 feet 8 inches to the south eastern alignment of Darlinghurst Road as fixed 10 feet south east of a very old kerb on the north west by part of the south eastern alignment of Darlinghurst Road by lines bearing consecutively 196 degrees 27 minutes for 4 inches, 196 degrees 1 minutes for 96 feet 6 inches and 194 degrees 28 minutes 30 seconds for 3 feet 1³/₄ inches and on the south west by lines bearing consecutively 92 degrees 17 minutes for 119 feet 5 inches and 123 degrees 37 minutes for 38 feet to the point of commencement to the said several dimensions all a little more or less.

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

E.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 25th day of March 1991.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
25 / 3 / 1991