

ST. STEPHEN'S NORMANHURST LAND SALE ORDINANCE 1976

No. 33 1976

AN ORDINANCE to authorise the sale of certain land situate at Eucalyptus Drive, Westleigh 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 of the land comprised in Certificate of Title Volume 11157 Folio 64 and more particularly described in the schedule hereto AND WHEREAS the said land is church trust property held for the sole benefit of the Parish of St. Stephen Normanhurst 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 land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the said land 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 DECLARES ORDAINS RULES AND DIRECTS 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 to the extent to which the same are hereby varied and it is expedient that the land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land by public auction, or private contract at such time or times and at such price or prices and upon such terms and conditions as the Corporate Trustee determines freed from the trusts upon which it is now held.

3. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this ordinance and of the sale or sales and transfers in pursuance thereof and all outgoings to which the said land may be subject shall be applied towards the acquisition of a residence for an Assistant Minister in and for the Parish of St.

- 2 -

Stephen Normanhurst and until such proceeds or any portion thereof are required for such purpose the same shall be invested by the Corporate Trustee and the income arising from such investment shall be capitalised.

4. The balance remaining after such acquisition shall be applied towards the reduction of the debt in pursuance of the provisions of the St. Stephen's Normanhurst Variation of Trust and Mortgage Ordinance No. 14 of 1971 or for such other purpose or purposes as may be approved by resolution of the Standing Committee at the request in writing of the parish council of the said parish.

5. This Ordinance may be cited as the "St. Stephen's Normanhurst Land Sale Ordinance 1976".

SCHEDULE

ALL THAT piece or parcel of land situate in the Shire of Hornsby Parish of South Colah and County of Cumberland having an area of 1669 square metres having a frontage of 36.58 metres to Eucalyptus Drive Westleigh and a depth of 45.72 metres and being the whole of the land comprised in Certificate of Title Volume 11157 Folio 64.

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 27th day of September 1976.

W. Gotley
Secretary

I ASSENT to this Ordinance.

M.L. Loane
Archbishop of Sydney
27/ 9/76