

FIGTREE VARIATION OF TRUST AND LAND SALE ORDINANCE 1985

No. 8. 1985

AN ORDINANCE to vary the trusts upon which certain land situate at Farmborough Heights in the City of Wollongong is held and to authorise the sale of such land and to provide for the application of the proceeds thereof.

WHEREAS the Anglican Church Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land described in the Schedule hereto (hereinafter called the land) AND WHEREAS the land is church trust property held upon trust for the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the Parish of Figtree ~~but no trusts have been declared in writing 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 and it is expedient that the land be now 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 such said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. 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 and it is expedient that the land be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the land within three years after the date of the assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private contract at such time and for such price and upon such terms and conditions as it shall think fit freed from the trusts upon which it is now held.

3. The proceeds arising from the sale after paying thereout the costs of an incidental to this Ordinance and the sale and transfer pursuant thereto and all outgoings to which the land is subject shall be applied towards the cost of construction of a rectory within the Parish of Figtree. 30

PROVIDED that pending such application the amount held shall be invested and the income arising therefrom shall be capitalised.

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4. This Ordinance may be cited as "Figtree Variation Of Trusts and Land Sale Ordinance 1985".

SCHEDULE

ALL THAT piece or parcel of land situate at Unanderra in the City of Wollongong Parish of Kembla County of Camden being Lot 10 in Deposited Plan 217420 having a frontage to Gerard Avenue Farmborough Heights and being the whole of the land comprised in Certificate of Title Volume 9503 Folio 14.

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

James
.....
Chairman of the Committes

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of *April* 1985.

[Signature]
.....
Secretary.

I ASSENT to this Ordinance.

Samuel P. [Signature]
.....
Archbishop of Sydney.
29/4/1985

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