

GyMEA (Grays Point) Ordinance 1993

No 11, 1993

An Ordinance to authorise the granting of a covenant in respect of church trust property situated at Grays Point.

Whereas

A. The Property Trust is the registered proprietor of land situated at Grays Point and being the land contained in Certificates of Title Volume 6238 Folio 20 and Volume 6362 Folio 237 ("Land").

B. The Land is church trust property held on trust for the Anglican Church in the parish of GyMEA ("Parish") although no written trusts have been found.

C. The Parish has negotiated an arrangement whereby the proprietor of land which neighbours the Land will grant a right of carriageway in favour of the Land.

D. It is to be a term of the grant the right of carriageway that the Property Trust, as proprietor of the Land, covenant to contribute to not more than 50% of the cost of maintaining the carriageway.

E. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Land is held, it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied so as to permit the granting of the covenant ("Covenant") referred to in recital D.

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. This ordinance may be cited as the "GyMEA (Grays Point) Ordinance 1993".

2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Land is held, it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied so as to permit the granting of the Covenant.

3. In consideration of the grant of a right of carriageway, the Property Trust is hereby authorised to grant the Covenant provided -

- (a) it is a term of the Covenant that the Property Trust is only liable on the Covenant while it remains the proprietor of the Land or part thereof; and
- (b) the Property Trust obtains from the churchwardens of St Paul & St Barnabas Church GyMEA and St Timothy's Grays Point, prior to the entry into the Covenant, an undertaking to pay, on the Property Trust's behalf, any amount which the Property Trust may be required to pay under the Covenant.

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

N.M. Cameron
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 April 1993.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

J.R. Reid
Administrator of the Diocese of Sydney
27/4/93