
HEATHCOTE VARIATION OF TRUSTS AND LEASING ORDINANCE 1988

No 43, 1988

AN ORDINANCE to vary trusts and to authorise leasing.

WHEREAS:-

A. Pursuant to clause 6 of Ordinance No 17 of 1978, the Property Trust holds the property described in the Fourth Schedule to that Ordinance (the "Heathcote property") upon trust "for a church, church hall or minister's residence or partly for one or partly for another or others of such purposes at Heathcote in connection with the Church of England in Australia in the Parish of Engadine".

B. Ordinance No 48 of 1986 varied the trusts of the Heathcote property, authorised the mortgaging of that property and directed that the proceeds be applied towards building a house for an assistant minister on that property.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts of the Heathcote property, it is inexpedient to carry out and observe the same to the extent set out in this Ordinance and it is expedient to lease the house on the Heathcote property.

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 "Heathcote Variation of Trusts and Leasing Ordinance 1988".

2. By reason of circumstances which have arisen since the creation of the trusts of the Heathcote property, it is inexpedient to carry out and observe those trusts to the extent set out in this Ordinance and it is expedient to lease the house which stands on a part of that property.

3. The Property Trust is hereby empowered to lease the house on the Heathcote property from time to time.

4. The proceeds of any lease shall be paid to the Churchwardens of Christ Church Heathcote to be applied by them in reduction of any debt on the Heathcote property secured pursuant to Ordinance No 48 of 1986 or, should there be no debt, for such other parochial purpose or purposes as may be determined by the Church Committee of that church by resolution.

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

E.D. 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 twelfth day of December 1988.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
22 /12/88