

ROSEVILLE EAST LAND SALE ORDINANCE 1984

No. 24 1984

AN ORDINANCE to authorise the sale of certain land and to provide for the application of the proceeds.

WHEREAS:

A. Church of England Property Trust Diocese of Sydney now known as Anglican Church Property Trust Diocese of Sydney (hereinafter called the "property trust") is registered as proprietor of the land described in the Schedule upon trust for the sole benefit of the Parish of Roseville East although such trusts have not been declared in writing.

B. By reason of the circumstances which have arisen subsequent to the creation of the trusts on which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied as hereinafter provided. 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. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold.

2. The property trust is hereby authorised and empowered to sell the land within three years after the date of assent to this ordinance and thereafter only with the consent of the Standing Committee by public auction or private contract at such time and at such price and upon such terms and conditions as it may determine freed from the trusts upon which it is held.

3. The proceeds arising from the sale shall be applied by the property trust as follows:

- (a) first to pay all outgoings to which the land may be subject the costs of and incidental to this ordinance and the sale pursuant thereto; and
- (b) secondly to pay the sum of \$5,000.00 to the Archbishop's Vision for Growth Fund; and
- (c) thirdly to invest the balance and to apply the income as follows:
  - (i) as to 20% to be capitalised; and
  - (ii) as to the balance to be paid to the churchwardens of St. Barnabas Church, Roseville East and applied by them for purposes within or without or partially within or partially without the parish as may be determined by resolution of the church committee of St. Barnabas Church.

The property trust shall have regard to the wishes of the churchwardens of St. Barnabas Church in determining the manner in which the balance of the proceeds shall be invested.

4. Further distributions of capital shall be applied for such purposes within or without or partially within and partially without the parish of Roseville East as the Standing Committee at

the written request of a majority of the parish council of the said parish may by resolution from time to time determine provided that in default of agreement either party may refer the question of the application to the Synod for determination.

5. This ordinance may be cited as "Roseville East Land Sale Ordinance 1984".

#### SCHEDULE

ALL THAT land at Chatswood being land comprised in Certificate of Title Volume 2603 Folio 183.

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 24th day of September 1984.

W.G.S. Gotley  
Secretary

I ASSENT to this ordinance.

Donald Robinson  
Archbishop of Sydney  
24/09/1984