

ST. JOHN ROCKDALE SALE ORDINANCE 1979

No. / 1979

An Ordinance to authorise the sale of certain land and improvements erected thereon situate at Rockdale and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of certain land and buildings situate at No. 429 Princes Highway Rockdale being the whole of the land comprised in Certificate of Title Volume 8044 Folio 68 more particularly described in the Schedule hereto AND WHEREAS the said land and buildings (hereinafter referred to as "the present rectory") have until recently been used and occupied as the rectory for the Parish of St. John the Evangelist, Rockdale AND WHEREAS the cost of and incidental to the acquisition of the present rectory was provided by the application of certain proceeds of sale authorised by the St. John's Rockdale Land Sale Ordinance 1960 and apart from Trusts to which reference is made in such Ordinance no Trusts have otherwise been expressly declared in relation to the present rectory AND WHEREAS it has been determined to purchase and renovate alternate rectory premises within the said Parish AND WHEREAS it is expedient to sell the present rectory and to apply the proceeds of sale in or towards the cost of purchase and renovation of the said alternate rectory in the manner hereinafter provided NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

- 1. The Corporate Trustee is hereby empowered to sell the present rectory by public auction or private contract at such time at such price and upon such terms and conditions as it shall think fit freed from the Trusts upon which it is now held.
- 2. The proceeds arising from the sale of the present rectory after paying thereout the costs of and incidental to this Ordinance and the costs of and incidental to the sale and transfer pursuant thereto shall be paid and applied towards the cost of and incidental to purchase (including repayment

of the principal and interest of any loan repayable in relation to the purchase) of an alternate rectory property within the said Parish and any renovation of the alternate rectory as may be necessary such property to be held upon trust for a:-

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- (a) church;
- (b) residence for a minister, assistant to the minister or person employed by the churchwardens;
- 35 (c) hall or halls;
- (d) school or other place of assembly;

or partly for one or another or others of those purposes in connection with the Church of England in Australia within the Diocese of Sydney for the sole benefit of the parish or other ecclesiastical district of Rockdale or any parish or ecclesiastical district into which it may subsequently be formed or form a part.

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3. Pending such payment or application the said proceeds shall be invested by the Corporate Trustee and the income derived therefrom shall be capitalised. Any residue after such payment or application shall be paid to the churchwardens for the time of St. John the Evangelist Rockdale for such purposes as shall be determined by resolution of the Parish Council of that Parish.

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within the trusts

4. This Ordinance may be cited as "St. John Rockdale Sale Ordinance 1979".

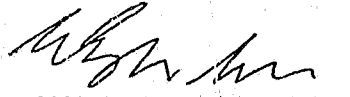
SCHEDULE

ALL THAT land situate in the County of Cumberland Parish of St. George and Municipality of Rockdale having a frontage of about 30' to the Princes Highway and being Lot A in Plan lodged with Caveat Number G866448 and being the whole of the land comprised in Certificate of Title Volume 8044 Folio 68 subject to lease of right of way affecting the land coloured brown in the Plan thereon registered number G866449 and subject to right of way affecting the said piece of land coloured brown in the Plan thereon (registered number H528137) and subject to covenant contained in Transfer No. H528137).

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

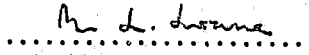
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Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 19th day of February 1979.



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Secretary

I ASSENT to this Ordinance.



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Archbishop of Sydney

19/2/79