
*St. John's Asquith (Victory Street) Variation and
Declaration of Trusts and Land Sale Ordinance 1967*

No. 6, 1967.

AN ORDINANCE to vary and declare the trusts and to authorise the sale of certain land at Victory Street Asquith and to provide for the application of the proceeds.

WHEREAS the Church of England Property Trust Diocese of Sydney is the registered proprietor of the land comprised in Certificate of Title Volume 9429 Folio 178 more particularly described in the first part of the Schedule hereto AND WHEREAS the said land was originally acquired by and situated in the Parish of St. Peter Hornsby and the Parish Council of the said Parish has consented in writing to the variation of the trusts of the said land in favour of the Provisional Parish of St. John Asquith with St. George Mt. Colah in which the land is now situated as hereinafter described and to the proceeds being applied as hereinafter set out AND WHEREAS the said land is now Church Trust Property but no trusts in writing have been declared concerning the same AND WHEREAS it is now expedient to declare the trusts of the said land AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that part of the said land being Lot 2 as more particularly described in the second part of the Schedule hereto be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land described in the second part of the schedule hereto is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land described in the second part of the schedule hereto by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as the Parish Council of the said Provisional Parish and the Corporate Trustee may determine freed from any trusts whatsoever.

3. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this Ordinance and of the sale and transfer in pursuance thereof and all outgoings to which the said land may be subject shall be paid to the Churchwardens for the said Provisional Parish to be used for "The New St. John's Church of England Asquith Building Fund."

4. Subject as aforesaid the land described in the first part of the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one or partly for another of such purposes in connection with the Church of England in Australia in the Provisional Parish of St. John Asquith with St. George Mt. Colah or any Parish into which it may subsequently be formed.

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5. This Ordinance may be cited as "St. John's Asquith (Victory Street) Variation and Declaration of Trusts and Land Sale Ordinance 1967."

THE SCHEDULE

FIRST PART

All that piece or parcel of land in the Shire of Hornsby Town of Asquith Parish of South Colah and County of Cumberland being Lot 1 in Deposited Plan 502964 and being the whole of the land comprised in Certificate of Title Volume 9429 Folio 178.

SECOND PART

All that piece or parcel of land in the Shire of Hornsby Town of Asquith Parish of South Colah and County of Cumberland being that strip of land adjacent to Lot 2 Deposited Plan 502964 and having frontage of 11 feet 2 inches to Victory Street by a depth on either side of 140 feet containing an area of about 5 perche and being part of the land comprised in Certificate of Title Volume 9429 Folio 178.

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

A. R. RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 3rd day of April, 1967.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

4/4/1967.

MARCUS LOANE,
Archbishop of Sydney.