

St John's Kings Cross Ordinance 1993

No 2, 1993

An Ordinance to authorise the variation of the St John's Darlinghurst Vesting and Leasing Ordinance 1962.

Whereas

- A. The Property Trust is registered as proprietor in fee simple of the land described in the Schedule ("the Land").
- B. The St John's Darlinghurst Vesting and Leasing Ordinance 1962 ("the Principal Ordinance") contained certain provisions in respect of the leasing of the Land and in particular in respect of the application and investment of certain proceeds (the "Proceeds") of the leasing by the Property Trust.
- C. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the proceeds of the leasing are held, it is inexpedient to carry out and observe such trusts and it is expedient that the trusts relating to the application and investment of the Proceeds be varied in the manner provided by this ordinance.

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 "St John's Kings Cross Ordinance 1992".
2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Proceeds are held, it has become inexpedient to carry out and observe such trusts and it is expedient that the trusts be varied as set forth in clause 3.
3. The Principal Ordinance is amended by the addition of a further clause as follows -
"5A. Notwithstanding the provisions of clause 5 of this ordinance the Standing Committee may from time to time on the written request of the rector of the Parish and the Churchwardens of St John's King Cross from time to time by resolution determine that the whole or such part of the capital of and income from such investments as is specified in the resolution shall be paid by the Corporate Trustee to the Churchwardens of St John's Kings Cross and applied by them in carrying out repairs and renovations to the church of St John Kings Cross and to the parish hall of the said Parish; and to vary any such resolution."

Schedule

All that piece or parcel of land containing about 1 rood 12 perches being part of the land in Crown Grants of 28th October, 1857 and 27th March, 1850 for Church, parsonage and school situated in the City of Sydney, Parish of Alexandria, County of Cumberland, State of New South Wales, commencing at a point on the western alignment of Victoria Street bearing 1 degree 3 minutes and distant 383 feet 5 inches from the intersection of the western alignment of that street with the northern alignment of Liverpool Street and bounded thence on the east by part of the aforesaid western alignment of Victoria Street being a line bearing 1 degree 3 minutes for 123 feet to the south eastern corner of land comprised in Primary Application No 28790 on the north by the southern boundary of the land comprised in that Application being a line passing along the southern face of a brick wall bearing 269 degrees 31 minutes 30 seconds for 125 feet 8½ inches to the south eastern alignment of Darlinghurst Road as fixed 10 feet south east of a very old stone kerb on the north west by part of the south eastern alignment of Darlinghurst Road by lines bearing consecutively 196 degrees 27 minutes for 4 inches, 196 degrees 1 minute for 96 feet 6¼ inches and 194 degrees 28 minutes 30 seconds for 3 feet 1¾ inches and on the south west by lines bearing consecutively 92 degrees 17 minutes for 119 feet 5 inches and 123 degrees 37 minutes for 38 feet to the point of commencement be the said several dimensions all a little more or less.

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 22nd day of February 1993.

W.G.S. GOTLEY
Secretary

I Assent to this Ordinance.

J. R. REID
Administrator of the Diocese of Sydney
22/2/1993