

ST. MARK'S YAGOONA LAND SALE ORDINANCE 1979

No. 9 1979

AN ORDINANCE to vary the trusts of certain land and buildings at Yagoona in the Municipality of Bankstown to authorise the sale of such land and buildings 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 the whole of the land in Certificate of Title Volume 6289 Folio 13 more particularly described in the Schedule hereto AND WHEREAS the said land is church trust property within the meaning of the Church of England Trust Property Act 1917 as amended held upon trust to permit the same to be used for the benefit of the Parish of St. Mark Yagoona but no trusts appear to have been declared in writing concerning the same 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 WHEREAS it is expedient that the land be now sold and the proceeds applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in 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 land be sold as hereinafter set out.

2. The Corporate Trustee is hereby empowered to sell the land described in the Schedule hereto by public auction or private contract at such time or times at such price and upon such terms and conditions as the Corporate Trustee determines freed from the trusts upon which it is now held. The proceeds arising from the said sale shall be applied as follows:-

- (a) first, in the payment of the costs of and incidental to this Ordinance and sale;

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(b) secondly, to repay the existing capital indebtedness to the Rural Bank of New South Wales relating to the land and buildings of the said parish;

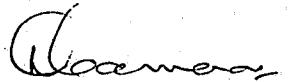
(c) thirdly, any residue shall be paid to the churchwardens for the time being of St. Mark's Yagoona to reduce any liability to the St. Mark's Yagoona Parishioners' Savings Fund.

3. This Ordinance may be cited as "St. Mark's Yagoona Sale Ordinance 1979".

SCHEDULE

ALL THAT piece or parcel of land situate in the Municipality of Bankstown Parish of Liberty Plains and County of Cumberland being Lot B in the plan annexed to Transfer F350941 having a frontage of forty feet to Auburn Road by a depth of 132 feet 1 1/4 inches and comprising the whole of the land in Certificate of Title Volume 6289 Folio 13 and subject to reservations and conditions contained in original Crown Grant together with the buildings thereon known as number 316 Auburn Road, Yagoona.

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



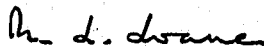
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 26th day of March 1979.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney
26/3/1979