

Cataract with Ambarvale Easement Ordinance 2002

No 79, 2002

Long Title

An Ordinance to authorise the granting of an easement for drainage purposes over certain land situate at Appin such lands being more particularly described in the schedule hereto and the application of the proceeds therefrom.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land described in the schedule (the "Land").

B. The Land is held for the purposes of the provisional parish of Cataract with Ambarvale (the "Parish") as part of the trust fund established by the Cataract with Ambarvale Trust Ordinance 2001.

C. It is proposed to grant an easement to drain water 1.5 metre wide over part of the Land shown in the plan prepared by Rein Warry & Co. Consulting Surveyors numbered 6386 and dated 13 November 2001 with such variations as may reasonably be necessary to facilitate the grant (the "Easement").

D. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Easement be granted over part of the Land and any monies arising from the grant of the Easement be applied in the manner set out in this Ordinance.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Cataract with Ambarvale Easement Ordinance 2002.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Easement be granted over part of the Land and any monies arising from the grant of the Easement be applied in the manner set out in this Ordinance.

3. Authority

The Property Trust is authorised to grant the Easement for such price and subject to such terms and conditions as the Property Trust considers appropriate.

4. Application

Any moneys arising from the grant of the Easement under clause 3 must be paid to the Property Trust and applied as follows –

- (a) first, in payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) payable in connection with the grant of the Easement, and
- (b) the balance, to the churchwardens of the principal church of the Parish and applied by them for purposes consistent with the trusts on which the Land is held as directed by the parish council of the Parish.

Schedule

ALL THAT piece or parcel of Land being the whole of the Land in certificate of title volume 15471 folio 172 being Lots 19 and 20 Section 3 at Appin.

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

R TONG
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 9 December 2002.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
10/12/2002