

# Eagle Vale Land Sale and Variation of Trusts Ordinance 2010

No 15, 2010

## Long Title

An Ordinance to vary the trusts of certain land at Eagle Vale, to authorise the sale of that land and to provide for the application of the proceeds of sale.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in folio identifier 8257/262641 and known as 5 Zeolite Place Eagle Vale (the "Land").

B. The Land is church trust property and by declaration of the Property Trust under clause 3(5) of the New Sites Ordinance 1982 is held upon trust for the parish of Campbelltown.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out or observe those trusts and it is expedient that those trusts be varied and that the Land be sold and the proceeds of sale 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 Eagle Vale Land Sale and Variation of Trusts Ordinance 2010.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out or observe those trusts and it is expedient that those trusts be varied in the manner set out in clause 3 and that the Land be sold and the proceeds of sale applied in the manner set out in clause 5.

### 3. Variation of Trusts

The Land is to be held on trust for the purposes of the parish of Eagle Vale (the "Parish") as an addition to the capital of the fund held under the Eagle Vale Trust Ordinance 2008.

### 4. Power of Sale

The Property Trust is authorised to sell the Land at any time within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution whether given before or after that date.

### 5. Application of the Proceeds of Sale

(1) Subject to clause 5(2), the Property Trust is directed that it may make the following payments from the capital of the Eagle Vale Trust –

- (a) first, the costs and expenses of and incidental to this Ordinance and the sale of the Land,
- (b) second, an amount up to \$50,000 in and towards the costs of and incidental to restoring the demountable buildings at Corner Gould Road & Dobell Road Claymore and relocating them to the site of Christ the Cornerstone Eagle Vale at the Corner of Eagle Vale Drive and Emerald Drive Eagle Vale, and
- (c) third, the balance for the purchase of a ministry residence.

(2) No payment is to be made under clause 5(1) until the Land has been sold and the proceeds of sale paid to the Property Trust.

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

PG KELL  
Chairman of Committees

**Eagle Vale Land Sale and Variation of Trusts Ordinance 2010**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 31 May 2010.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
02/06/2010