
Ermington-Rydalmerie Land Sale Ordinance, 1961.

No. 50, 1961.

AN ORDINANCE to vary the trusts upon which certain land at Rydalmerie in the City of Parramatta is held to authorise the sale of such land 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 registered as proprietor in fee simple of the land comprised in Certificate of Title Registered Volume 6615 Folio 84 more particularly described in the Schedule hereto AND WHEREAS the said land is held for the benefit of the Parish of St. Columb West Ryde but no trusts in writing have been declared concerning the same AND WHEREAS the said land is now situated in the Provisional District of St. Mark's Ermington with St. Luke's Rydalmerie and there is erected thereon a Church known as St. Luke's Rydalmerie AND WHEREAS it is expedient to vary and modify the trusts upon which the said land is held and to declare the same as hereinafter appears AND WHEREAS the Parish Council of the Parish of St. Columb West Ryde has consented to the said land being held for the benefit of the said Provisional District and to the sale thereof if deemed expedient so to do AND WHEREAS it is expedient to remove the buildings now on the said land to another site and to sell the land and apply the net proceeds in the acquisition of such other site.

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 land described in the Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient to vary such trusts as hereinafter appears.

2. The said land shall henceforth be held by the Corporate Trustee upon trust to permit the same to be used for a church by the Provisional District of St. Mark's Ermington with St. Luke's Rydalmerie.

3. 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 and it is expedient that the said land be sold but excluding the buildings thereon.

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4. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such time and at such price and upon such terms and conditions as it shall think fit freed from the said trusts.

5. The proceeds arising from the said sale shall be applied firstly in payment of the costs and expenses of and incidental to this Ordinance and the sale and transfer in pursuance thereof secondly in payment of all outgoing to which the said land may be subject and the balance shall be paid to the Churchwardens of St. Luke's Rydalmere who shall apply the same in repayment of the existing loan in respect of the land to be sold and the building thereon and the balance towards the expenses of removal of the buildings now on the said land to another site and towards the acquisition of such other site or the repayment of any money borrowed in the meantime to provide the purchase money and expenses of and incidental to its acquisition.

6. This Ordinance may be cited as "Ermington-Rydalmere Land Sale Ordinance 1961."

SCHEDULE.

All that piece or parcel of land situated at Rydalmere in the City of Parramatta Parish of Field of Mars County of Cumberland being Lots 19, 20 and 21 in Deposited Plan No. 15160 and being the whole of the land in Certificate of Title Registered Volume 6615 Folio 84.

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

ATHOL 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 11th day of December, 1961.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

R. C. KERLE,

11/12/1961.

Bishop Commissary.