

Lawson Further Land Sale Ordinance 2003

No 64, 2003

Long Title

An Ordinance to authorise the sale of certain land situate at Lawson and to provide for the application of the proceeds of sale.

Preamble

Whereas

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land described in Schedule 1 (the "Land").

B. The Land is church trust property held upon the trusts described in Schedule 2.

5 C. The Blue Mountains City Council wishes to acquire the Land for road widening purposes and proposes to register a plan of subdivision for the Land and dedicate the road to be constructed thereon as a public road under section 10 of the Roads Act 1993 (NSW).

D. It is expedient that the Land be sold and the proceeds of sale be applied in the manner set out in this Ordinance.

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

1. Name

This Ordinance is the Lawson Further Land Sale Ordinance 2003.

2. Declaration of Expediency

15 By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held is expedient that the Land be sold and that the proceeds of sale be applied in accordance with clause 4.

3. Authority to Sell

20 (1) The Property Trust is authorised to sell the Land at any time within 3 years from the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

(2) Such sale may be by public auction or private agreement in one or more lots and for such price or prices and subject to such terms and conditions as the Property Trust considers appropriate.

4. Application of Proceeds

25 (1) The costs of and incidental to this Ordinance and the sale of the Land including any goods and services tax payable in connection with the sale are to be paid from the proceeds of sale of the Land.

30 (2) The remaining balance of the proceeds of sale are to be paid to the churchwardens of the principal church of the parish of Lawson (the "Parish") and are to be applied for such purposes as are determined by resolution of a majority of the parish council of the Parish and which are consistent with the trusts on which the Land is held.

Schedule 1

The land at Lawson in the Local Government area of Blue Mountains, Parish of Linden and County of Cook being the area hatched in the plan signed by the Diocesan Secretary and dated 19 November 2003 being part of Lot 3 of Section 2 in Deposited Plan 758605 being the land in Certificate of Title Identifier 3/2/758605.

Schedule 2

By clause 1 of the Parish of Lawson Variation of Trusts Ordinance 1975, the land is held upon trust for a church, parsonage, parish hall, parish centre and child-care centre or partly for one and partly for another or others of such purposes in connection with the Church of England in Australia at Lawson in the said parish or

any parish, provisional parish or provisional district into which it may subsequently be formed.

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

PETER KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 8 December 2003.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
9/ 12 /2003