

LURNEA ORDINANCE 1976

No. 47 1976

AN ORDINANCE to authorise
the mortgaging and the
sale of certain land.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called the "corporate trustee") is the owner of the land described in the first, second and third schedules hereto.

5 B. The building known as St. John's Lurnea and another building used as a rectory stand on the land described in the first schedule hereto, the building known as St. Alban's Casula stands on the land described in the second schedule hereto and the building known as
10 St. Stephen's Preston stands on the land described in the third schedule hereto.

C. No trusts in writing have been declared in relation to the land described in any of the schedules hereto but the land is believed to be held upon trust for the Provisional District of Lurnea.

15 D. It is expedient that the land described in the schedules hereto be sold and the proceeds from the sale applied in acquiring other land in the Provisional District of Lurnea in erecting buildings and other improvements thereon and for other purposes and that pending such sale the said land should be mortgaged so that moneys can be borrowed on the security thereof for these purposes.

20 E. By reason of circumstances which have arisen subsequent to the creation of the trusts on which said lands are held it is expedient that the said lands be mortgaged and be sold.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES RULES
25 AND DIRECTS as follows:-

1. (1) By reason of circumstances subsequent to the creation of the trusts on which the lands described in the first second and third

- 2 -

schedules hereto are held it is expedient that all or part of the said lands be mortgaged.

30 (2) The Corporate Trustee is hereby authorised and empowered to mortgage the whole or any part or parts of the lands described in the first, second and third schedules hereto for the purpose of borrowing such amount as the Parramatta Anglican Regional Council may approve by resolution thereof. The money so borrowed shall be applied firstly in
35 meeting all costs in connection with the granting of such mortgage and thereafter in or towards all or any of the following purposes:-

- (a) acquiring land situated in the Provisional District of
Lurnea to be held on trust for the said Provisional District;
- 40 (b) erecting buildings (being suitable for use as a rectory or as a church or as a hall or as a combined church and hall) on any land situated in the said Provisional District and held upon trust for the said Provisional District;
- (c) towards discharging any mortgage over any of the said lands
or over any other land situated in the said Provisional District
45 and held upon trust for the said Provisional District.

2. (1) By reason of circumstances subsequent to the creation of the trusts on which the lands described in the first second and third schedules hereto are held it is expedient that all or part of the said lands be sold.

50 (2) The Corporate Trustee is hereby authorised and empowered to sell the whole or any part or parts of the lands described in the first second and third schedules hereto by auction or private treaty and for such consideration and on and subject to such terms and conditions as the Corporate Trustee considers appropriate. The proceeds
55 from such sale or sales shall be applied firstly in meeting all costs incurred in connection with the same and thereafter towards all or any of the following purposes:-

- (a) acquiring land situated in the Provisional District of

- 3 -

Lurnea to be held on trust for the said Provisional District;

- (b) erecting buildings (being suitable for use as a rectory or as a church or as a hall or as a combined church and hall) on any land situated in the said Provisional District and held upon trust for the said Provisional District;
- (c) towards discharging any mortgage over any of the said lands or over any other land situated in the said Provisional District and held upon trust for the said Provisional District.

3. This Ordinance may be cited as "Lurnea Ordinance 1976".

FIRST SCHEDULE

ALL THAT piece or parcel of land being part of Lot A Miscellaneous Plan of Subdivision (O.S.) Registered Number 2665 situated in the Municipality of Liverpool Parish of St. Luke and County of Cumberland COMMENCING on the southern side of Hoxton Park Road at the north-western corner of Lot A Miscellaneous Plan of Subdivision (O.S.) Registered Number 2665 and bounded thence on the north by the said southern side of Hoxton Park Road, bearing eighty nine degrees 55 minutes thirty seconds seventy two feet and one-half inches; on the north-east, the east, the south east, and the south by lines successively bearing One hundred and thirty four degrees fifty five minutes thirty seconds Fourteen Feet one and three-quarter inches; One hundred and seventy nine degrees fifty five minutes thirty seconds One hundred and forty feet One hundred and eighty nine degrees twenty three minutes ten seconds Fifty feet eight and one-half inches and Two hundred and sixty nine degrees fifty five minutes thirty seconds Seventy four feet one and three-quarter inches to the Western boundary of the aforesaid Lot A; on the west by the western boundary of the said Lot A being a fenced line bearing Three hundred and fifty nine degrees Fifty five minutes Thirty seconds Two hundred feet to the point of commencement and having an area of 1 rood nineteen and one-half perches or thereabouts.

SECOND SCHEDULE

ALL THAT land situated at Casula in the City of Liverpool Parish of St. Luke County of Cumberland being Lots 2 and 3 in Deposited Plan 208545s and the whole of the land in Certificates of Title Volume 9191 Folios 221 and 222.

THIRD SCHEDULE

ALL THAT land situated at Prestons in the City of Liverpool Parish of St. Luke County of Cumberland being Lot 1 in Deposited Plan 983700 and being the whole of the land in Certificate of Title Volume 13011 Folio 116.

- 4 -

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

D. Cameron

Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Stading Committee of the Synod of the Diocese of Sydney on the 22nd day of November 1976.

W. Gotley

Secretary

I ASSENT to this Ordinance.

M.L. Loane

Archbishop of Sydney

22 / 11 / 76