

MANLY VALE WITH ALLAMBIE HEIGHTS SALE ORDINANCE 1985

NO. 4 of 1985

AN ORDINANCE to vary trusts and to authorise the subdivision and sale of part of the land at Allambie Heights and the application of the proceeds.

WHEREAS

5 A. Anglican Church Property Trust Diocese of Sydney (formerly called Church of England Property Trust Diocese of Sydney) (hereinafter called "the corporate trustee") is registered as proprietor of the land described in the Schedule.

10 B. By the St. John's Dee Why with Brookvale Declaration of Trust and Mortgaging Ordinance 1962 the said land was declared to be held on trust for a church parsonage or parish hall or partly for one and partly for another or other of such purposes in connection with the Anglican Church in the Parish of St. John's Dee Why with Brookvale.

15 C. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said land is held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

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

20 1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land described is held it is inexpedient to carry out and observe the same and it is expedient that

- (a) the said land be subdivided,
  - (b) part of the said land (being part of that contained in Certificate of Title Volume 8337 Folio 139) be sold and the proceeds be applied in accordance with clause 3, and
  - (c) the residue of the said land be held upon trust for use as a church parsonage or parish hall or partly for one
- AS*

30 and partly for another or other of such purposes in connection with the Anglican Church of Australia in the Parish of Manly Vale with Allambie Heights or in any other parish into which it may subsequently be formed.

35 2. The corporate trustee is hereby authorised and empowered to subdivide the said land and sell the said part thereof within three years after the date of the assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private contract at such time and at such price and upon such terms and conditions as it may determine freed from the trusts upon which the land is held.

40 3. The proceeds arising from the sale shall be applied as follows:

(a) First to pay all outgoings to which the land may be subject, the costs of and incidental to this Ordinance and the subdivision and sale pursuant thereto.

45 (b) Secondly, towards the cost of erecting, fitting out and furnishing buildings for use as a church, parsonage or parish hall or partly for one and partly for another of such purposes on the residue of the said land.

50 4. This Ordinance may be cited as "Manly Vale with Allambie Heights Sale Ordinance 1985".

#### SCHEDULE

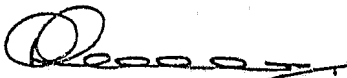
ALL THAT land at Allambie Heights being the whole of the land comprised in Certificates of Title Volume 8332 Folio 196 and Volume 8337 Folio 139.

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



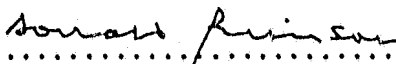
.....  
Chairman of the Committee

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 25th day of March 1985 .



.....  
Secretary.

I ASSENT to this Ordinance.



.....  
Archbishop of Sydney.

25/3/1985

