
ST AIDAN'S BLACKHEATH LAND SALE ORDINANCE 1990

No 17, 1990.

AN ORDINANCE to authorise the sale of land at Blackheath and to provide for the application of the proceeds thereof.

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land described in the Schedule hereto.

B. The land is church trust property within the meaning of the Anglican Church of Australia Trust Property Act 1917 but no trusts have been declared in writing.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts in respect of the land it is inexpedient to carry out and observe the same and it is expedient that the land 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 DIRECTS AND RULES as follows:

1. (1) By reason of circumstances which have arisen subsequent to the creation of the trust hereinbefore recited it is expedient that the land be sold.

(2) The Corporate Trustee is hereby authorised and empowered to sell the land freed from all trusts at such price and upon such terms and conditions as it may determine within a period of three (3) years from the date of assent to this Ordinance and thereafter only by resolution of the Standing Committee.

2. The proceeds arising from the sale of the land described in the Schedule after paying thereout the costs of and incidental to this Ordinance and the costs of and incidental to the sale shall be paid to the Corporate Trustee and applied as follows:-

(i) Firstly, to pay off an existing loan to the Finance and Loans Board together with any accrued interest.

(ii) Secondly, to repay the sum of Nine thousand nine hundred and seventy dollars (\$9,970) to the churchwardens of St Aidan's being full repayment of the sum contributed by St Aidan's Blackheath towards the purchase of the land.

(iii) Thirdly, to pay the sum of Twenty-five thousand dollars (\$25,000) to the Anglican Home Mission Society to be used by that Society for its Parishes Support and Development Division.

(iv) Fourthly, to pay the sum of Five thousand dollars (\$5,000) to churchwardens to be applied by them towards a fund for capital equipment.

(v) Fifthly, the balance should be held for the purposes of the Anglican Church in the Diocese of Sydney in the Parish of Blackheath to be applied upon the written request of the majority of the Parish Council of the Parish of Blackheath in or towards one or any of the following purposes:-

(a) payment to the churchwardens of any assessment levied on the income,

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- (b) the erection of new buildings, and
- (c) structural modifications, extensions or capital improvement of existing buildings.

Pending such application the income arising from the investment shall be capitalised.

3. This Ordinance may be cited as "St Aidan's Blackheath Sale Ordinance 1990".

SCHEDULE

ALL THAT piece or parcel of land at Blackheath in the City of Blue Mountains Parish of Blackheath and County of Cook being Lot 2 of Section B in Deposited Plan No 25369 and being the whole of the land comprised in Certificate of Title Folio Identifier 2/B/25369.

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 23rd day of April 1990.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
23 / 4 / 1990