

ORDINANCE 1974

No. 14. 1974

AN ORDINANCE under Section 26 of the Church of England Trust Property Act 1917 to vary the trusts and to authorise the sale of certain land and buildings erected thereon at Orient Street, Gladesville in the Municipality of Ryde and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as the proprietor of an Estate in fee simple of the land contained in Certificate of Title Volume 2113 Folio 87 and more particularly described in the Schedule hereto AND WHEREAS such land is church trust property held upon trust to permit the same to be used for a Church, Parsonage or Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in the Parish of Gladesville AND WHEREAS the only buildings now erected upon the said land are the Church known as "St. Thomas' Monash Park", a brick hall, garage and double toilet AND WHEREAS such Church has now been closed by reason of population changes and the increase in industrialisation of the area AND WHEREAS the Church has now been de-licenced as from 31 December, 1973 and Church services have ceased from that date AND WHEREAS the said Church has not previously been consecrated AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which such land is held it is now inexpedient to carry out and observe the same in their entirety AND WHEREAS it is now expedient that the said land and buildings be sold freed from such trusts and that the proceeds of such sale be applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES 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 that the said land be sold freed from such trusts.
2. The Corporate Trustee is hereby empowered to sell the said land described in the Schedule hereto by public auction or private contract at such time or times and at such price and upon such terms and conditions as it may determine freed from the trusts upon which the land is now held.
3. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this Ordinance and of the sale and transfer in pursuance thereof and all outgoings to which the said land may be subject (which net sum is hereinafter called "the capital investment") shall be invested by the Corporate Trustee which shall apply the income arising therefrom as follows:-
 - (a) As to twenty per centum (20%) thereof to re-invest the same by way of addition to the capital investment;
 - (b) To pay the balance of such income to the Churchwardens of the Provisional Parish of St. Chad Putney which income shall be applied by them towards general parochial purposes other than for the payment of the stipend and/or travelling expenses of the rector of the said Provisional Parish after 31 December, 1975 or such later date or dates as Standing Committee at the written request of a majority of the Parish Council of the said Provisional Parish may by resolution from time to time determine.

4. This Ordinance may be cited as "St. Chad's Putney (St. Thomas' Monash Park) Ordinance 1974".

SCHEDULE

ALL THAT piece or parcel of land at Gladesville in the Municipality of Ryde Parish of Hunters Hill and County of Cumberland being Lot 56 in Deposited Plan No. 5825 containing an area of approximately 1 rood 5½ perches and having a frontage to Orient Street of about 66' and being the whole of the land comprised in Certificate of Title Volume 2113 Folio 87.

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 Standing Committee of the Synod of the Diocese of Sydney on the 24th day of June, 1974.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

M.L. LOANE
Archbishop of Sydney
24/6/1974