

ST JOHN'S KINGS CROSS ORDINANCE 1988

No 20, 1988.

AN ORDINANCE to authorise the sale of land known as 63 Womerah Avenue, Darlinghurst.

WHEREAS Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor in fee simple of the land and buildings known as 63 Womerah Avenue, Darlinghurst and more particularly described in the First Schedule hereto (which said land and buildings are hereinafter referred to as "the Property") AND WHEREAS the Property is church trust property and held for the purposes of the Anglican Church in the Diocese of Sydney in the Parish of East Sydney but there is no evidence that trusts have been declared in writing concerning the Property. AND WHEREAS the Property is not required for any purposes in connection with the Parish of St Johns Kings Cross and it is expedient that the Property be sold and the net sale proceeds be appropriated in the manner hereinafter provided 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. By reason of circumstances which have arisen subsequent to the purchase of the Property, the Property is surplus to present or foreseeable future requirements of the Parish and it is expedient that the Property be sold.

2. The Corporate Trustee is hereby empowered to sell the Property in one or more parcels within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or by private contract at such time or times at such price or prices and upon and subject to such terms conditions covenants and reservations as it shall think fit freed from the trusts from which it is presently held.

3. The proceeds arising from the sale of the Property after paying thereout all costs of and incidental to this Ordinance and to the sale and transfer in pursuance thereof and all outgoings to which the said Property may be subject shall be applied as follows:

- (a) In repayment of all moneys owing to Westpac Banking Corporation Limited for and in respect of the Property and the property 118 Burton Street, Darlinghurst.
- (b) In repayment of all moneys owing to Westpac Banking Corporation for and in respect of the bridging loan from that Bank to enable purchase of the property 116 Burton Street, Darlinghurst.
- (c) As to the residue thereof and any interest accrued from any investment thereof to be applied in accordance with a Resolution of the Parish Council of the said Parish for and towards any one or more of the undermentioned purposes:-
 - (i) the repayment of moneys owing to Westpac Banking Corporation for and in respect of the term loan from that bank to enable purchase of the property 116 Burton Street, Darlinghurst;
 - (ii) the purchase of housing for staff;

(iii) repairs and improvements to existing properties held on trust for the Parish.

4. This Ordinance may be cited as "St John's Kings Cross Ordinance 1988".

FIRST SCHEDULE

ALL that land situate in the City of Sydney Parish of Alexandria and County of Cumberland being Lot 7 in Deposited Plan 219843 and the whole of the land in Certificate of Title Volume 11573 Folio 8.

I CERTIFY that this 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 26th day of September 1988.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance

DONALD ROBINSON
Archbishop of Sydney
26/9/1988