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ST. MARK'S ERMINGTON (ST. LUKE'S RYDALMERE)  
SALE ORDINANCE 1975

No. 46, 1975

AN ORDINANCE to authorise the sale of certain land at Rydalmer and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor in fee simple of the lands described in the Schedule hereto AND WHEREAS the said lands are church trust property held for the sole benefit of the Parish of St. Mark Ermington but no trusts appear to have been declared in writing concerning the same AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts on which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the said lands 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. By reason of circumstances which have arisen since the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold.
2. The Corporate Trustee is hereby authorised to sell the said lands by public auction or by private contract at such time or times for such price or prices and upon such terms and conditions as it may think fit freed from the trusts upon which the said lands are held.
3. The proceeds arising from the sale or sales of the said lands shall be applied by the Corporate Trustee as follows:-
  - (a) In payment of the costs of and incidental to this Ordinance and of the sale or sales and transfer or transfers of the said lands and all moneys owing to the Sydney Church of England Finance and Loans Board in relation to the said lands and all other outgoings to which the said lands may be subject.
  - (b) In payment of the sum of Three thousand dollars (\$3,000) to the Churchwardens of St. Mark's Church Ermington to reimburse the funds of that Church for the cost of removal of the former St. Luke's Church at Rydalmer, and thereafter
  - (c) Subject to the proviso herein contained the balance of such proceeds shall be paid to the said Churchwardens to be applied by them in payment of the costs of alterations extensions renovations and repairs to the existing buildings presently erected on the land on which St. Mark's Church Ermington is erected or for such other purposes as the Standing Committee may approve from time to time by resolution passed at the request of a majority of the members of the Parish Council of the said Parish PROVIDED HOWEVER that until the said balance of such proceeds is required for application for the purposes described in this paragraph the said balance of such proceeds shall be invested by the Corporate Trustee and the income arising therefrom shall be capitalised and held on the trusts as aforesaid.

4. This Ordinance may be cited as "St. Mark's Ermington (St. Luke's Rydalmer) Sale Ordinance 1975".

SCHEDULE

ALL THAT piece of land situate in the City of Parramatta Parish of Field of Mars and County of Cumberland having a frontage of about 41 feet to Victoria Road Rydalmere with a splayed corner and depths of about 140 feet/150 feet and containing 27 3/4 perches or thereabouts being Lot 8 in Deposited Plan No. 28275 and the whole of the land comprised in Certificate of Title Volume 7684 Folio 140 AND ALL THAT piece of land situate as aforesaid having a frontage of about 100 feet 6 inches to Victoria Road Rydalmere with a depth of about 150 feet and containing 1 rood 15 perches or thereabouts being Lot 9 in Deposited Plan No. 28275 and the whole of the land comprised in Certificate of Title Volume 7463 Folio 124.

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 27th day of October, 1975.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

M.L. LOANE  
Archbishop of Sydney  
27/10/1975