

ST. PETER'S WATSON'S BAY ORDINANCE 1978

No. 26 1978

AN ORDINANCE to authorise the sale of part of certain land and to vary the trusts on which that land is held.

WHEREAS

- A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the owner of the land described in the first, second and third schedules hereto.
- B. The land described in the first schedule hereto is held upon trust for the erection thereon of a church in connection with Church of England in Australia.
- C. The land described in the second schedule hereto is held upon trust as a site of a dwelling house, garden and other appurtenances for the clergyman duly appointed to officiate in the said church erected at Watson's Bay - except to the extent that the said trust was varied by the St. Peter's Watson's Bay Vesting and Mortgage Ordinance, 1969.
- D. The land described in the third schedule hereto is held upon trust as a site for a school in connection with the said church at Watson's Bay - except to the extent that the said trust has been varied by the said Ordinance and by the St. Peter's Watson's Bay Variation of Trusts and Mortgage Ordinance, 1971.
- E. The land referred to in the fourth schedule hereto is part of the land described in the first and second schedules hereto.
- F. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land referred to in the fourth schedule hereto is held it is expedient that those trusts be varied to the extent herein provided and that the said land be sold.

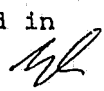
30 G. By reason of circumstances which have arisen subsequent to the creation of the trusts on which so much of the land described in the second and third schedules hereto as is not part of the land referred to in the fourth schedule hereto are held it is expedient that the same be varied to the extent hereinafter provided.

35 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:-

40 1. By reason of circumstances subsequent to the creation of the trusts on which the land described in the second and third schedules hereto is held and on which so much of the land referred to in the fourth schedule hereto as is not part of the land described in the second and third schedules hereto is held it is expedient that the same be varied to the extent necessary to permit the land referred to in the fourth schedule hereto to
45 be sold and the proceeds therefrom applied in the manner hereinafter provided and to permit the erection on so much of the land described in the second and third schedules hereto as is not part of the land referred to in the fourth schedule hereto of a building suitable for use as a rectory.

50 2. The Corporate Trustee is hereby authorised and empowered to sell the land referred to in the fourth schedule hereto by auction or private treaty and for such consideration and on and subject to such terms and conditions as to the Corporate Trustee seem appropriate.

55 3. The proceeds from such sale shall be applied firstly in meeting all costs incurred in connection with the payment of costs of and incidental to this Ordinance and such sale and then in repaying any debt owed by the Corporate Trustee and secured by any mortgage or charge over the land described in the second and third
60 schedules hereto and the balance remaining thereafter shall be applied in or towards meeting the cost of erecting a building suitable for use as a rectory on so much of the land described in



the second and third schedules hereto as is not part of the land referred to in the fourth schedule hereto.

65 4. This Ordinance may be cited as "St. Peter's Watson's Bay Ordinance 1978".

FIRST SCHEDULE

ALL THAT piece or parcel of land situated at Watson's Bay being Portion 580 of the Parish of Alexandria and the whole of the land in Crown Grant Volume 561 Folio 71.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated at Watson's Bay being Portion 582 of the Parish of Alexandria and the whole of the land in Crown Grant Volume 561 Folio 72.

THIRD SCHEDULE

ALL THAT piece or parcel of land situated at Watson's Bay being Portion 581 of the Parish of Alexandria and the whole of the land in Crown Grant Volume 2763 Folio 73.

FOURTH SCHEDULE

ALL THAT land situated at Watson's Bay having an area of 675 square metres or thereabouts and being the land designated as Lot 1 in the plan dated the 13th June, 1978 and prepared by Peter J. French.

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

Carver

Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 25th day of September 1978.

W. J. French

Secretary

I ASSENT to this Ordinance.

N. L. Douma

Archbishop of Sydney