

WEST PENNANT HILLS ORDINANCE 1980

No. 51 1980

AN ORDINANCE to authorise the sale of certain land at West Pennant Hills and to authorise the mortgaging of certain other land at West Pennant Hills.

WHEREAS:

- A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the land described in the first schedule hereto.
- 5 B. The said land is held upon trust for the Church of England in Australia in the Parish of West Pennant Hills but no trusts in writing have been recorded in respect of the same.
- C. By reason of circumstances which have arisen subsequent  
10 to the creation of the trusts on which the said land is held, it is expedient that the said land be sold and the proceeds from the sale applied in purchasing the land described in the second schedule hereto.
- D. It is expedient that the land described in the second  
15 schedule hereto be mortgaged to secure the repayment of moneys borrowed to meet the balance of the purchase price for the same.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES

ORDAINS DIRECTS AND RULES as follows:-

- 1. This Ordinance may be cited as "West Pennant Hills Ordinance 1980".
- 2. (1) The Corporate Trustee is hereby empowered to sell the land described in the first schedule hereto by auction or private  
25 treaty for such price and on and subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate.
- (2) The proceeds from such sale or sales (after all costs

in connection with this Ordinance and with such sale or sales have been met therefrom) shall be applied in or towards meeting the purchase price payable by the Corporate Trustee for the land described in the second schedule hereto.

3. (1) The Standing Committee hereby directs that, upon the land described in the second schedule hereto becoming church trust property held for the Diocese of Sydney, the said land may be mortgaged for the purpose of borrowing such amount as may be needed to meet the balance of the purchase price payable therefor and all costs in connection with the acquisition of the same by the Corporate Trustee.

(2) Whilst any money is secured by any mortgage granted pursuant to this Ordinance, the churchwardens of St. Matthew's Church West Pennant Hills, in every statement of assets prepared pursuant to Clause 41 of the Sydney Church Ordinance 1912 (as amended) shall disclose the amount so secured on the last day of the financial year to which the statement of assets relates.

FIRST SCHEDULE

The land in Certificate of Title Volume 9475 Folio 179 and known as 5 New Line Road, West Pennant Hills.

SECOND SCHEDULE

The land in Certificate of Title Volume 6919 Folio 79 and known as 1 New Line Road, West Pennant Hills.

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

*Deane*

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Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 15<sup>th</sup> day of December 1980.

*W. J. ...*

.....  
Secretary.

I ASSENT to this Ordinance.

*A. L. Downe*  
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Archbishop of Sydney  
15/12/1980