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*The Home Mission Society (Marrickville) Declaration and  
Variation of Trusts and Land Sale Ordinance 1968*

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No. 16, 1968.

AN ORDINANCE to declare and to vary the trusts and to authorise the sale of certain land at Shirlow Street Marrickville 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 proprietor in fee simple of the land comprised in Certificate of Title Volume 5681 Folio 155 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust property and is held upon trust for the Home Mission Society Diocese of Sydney as constituted by The Home Mission Society Ordinance of 1911 but no trusts in writing have been declared concerning the same AND WHEREAS it is now expedient to declare the trusts of the said land AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that the said land be sold 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. The land described in the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a store room and offices for the operation of the Church of England Home Mission Society Opportunity Shops.

2. 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.

3. The said land may be sold by public auction or private contract at such time and upon such terms and conditions as the Corporate Trustee and Home Mission Society shall think fit freed from the Trusts on which it is now held.

4. The proceeds of any sale hereby authorised shall be applied by the Corporate Trustee as follows:—

- (a) In payment of the costs and expenses of and incidental to this Ordinance and such sale and transfer executed in pursuance thereof and any charges and/or outgoings to which the said land may be subject.

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(b) Subject thereto the balance shall be paid to the Home Mission Society which shall apply such money in terms of the Home Mission Society Ordinance of 1911.

5. This Ordinance may be cited as "The Home Mission Society (Marrickville) Declaration and Variation of Trusts and Land Sale Ordinance 1968".

THE SCHEDULE

All that piece or parcel of land situated at Marrickville in the Municipality of Marrickville Parish of Petersham and County of Cumberland being Lot 32 on Deposited Plan No. 761 and the whole of the land comprised in Certificate of Title Volume 5681 Folio 155 having a frontage of 30' 2" to Shirlow Street by depths of 174' 11" and 178' with a rear line of 30' containing an area of 19½ perches all measurements approximate.

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

H. G. S. BEGBIE,

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 17th day of June, 1968.

F. A. JOHNSON,

Acting Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

17/6/1968.