

Lithgow (Cullen Bullen) Land Sale Ordinance 1995

No 13, 1995

Long Title

An ordinance to provide for the sale of the land situated at Cullen Bullen in the parish of Lithgow and to provide for the application of the proceeds of sale.

Preamble

Whereas

- A. Edward Alfred Homfray, William Joseph Ladkin, Thomas Hurley Ironmonger and Henry James Evans are registered as proprietors of the land at Cullen Bullen comprised in Certificate of Title Volume 944 Folio 218 ("the Land").
- B. The said Edward Alfred Homfray, William Joseph Ladkin, Thomas Hurley Ironmonger and Henry James Evans are all deceased.
- C. The Land is church trust property held for the purposes of the parish of Lithgow ("Parish") although there are no written trusts.
- D. It is expedient that the Land be sold but it is expedient to deal with or apply the proceeds of sale for the same purposes as the trusts on which the Land is held.

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 -

Citation

1. This Ordinance may be cited as the "Lithgow (Cullen Bullen) Land Sale Ordinance 1995".

Vesting of the Land

2. Consent is given to the Land vesting in the Anglican Church Property Trust Diocese of Sydney.

Declarations

3. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Land be sold and it is inexpedient to deal with or apply the proceeds of sale for the same or like purposes as the trusts on which the Land is held.

Authority to Sell

4. The Property Trust is authorised and empowered to sell the Land within 3 years after the date of assent of this Ordinance and thereafter only with the consent, by resolution, of the Standing Committee by public auction or private contract in one or more lots at such time and at such price or prices and upon such terms and conditions as it may determine freed from the trusts upon which the Land is held.

Application of Proceeds

5. The Property Trust shall apply the proceeds arising from the sale of the Land as follows -
 - (a) First, to pay the costs and fees of and incidental to the preparation and passing of this Ordinance, the preparation for sale of the Land and its subsequent sale or sales.
 - (b) Secondly, to pay the balance or proceeds of sale to the churchwardens of St Paul's Anglican Church Lithgow for the purpose of undertaking repairs, maintenance or renovation to the residence and hall situated on the land at the corner of Roy and Railway Streets Lithgow being lots 26 and 28 inclusive of section 48 in deposited plan 3955.
6. Pending application under clause 5 the proceeds of sale shall be invested and the income capitalised.

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

N.M. Cameron
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 26 June 1995.

W.G.S. Gotley
Secretary

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I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
26/6/1995