

MITTAGONG (YERRINBOOL) VARIATION OF TRUSTS AND
LAND SALE ORDINANCE 1986

No. 54, 1986

AN ORDINANCE to vary the trusts upon which certain land at Yerrinbool is held and to authorise the sale of the land and to authorise the application of the proceeds thereof.

WHEREAS:

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the proprietor of the land described in the Schedule hereto (hereinafter called "the land").

B. The land, being church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 (as amended) is held upon trust to permit the same to be used for any purpose in connection with the Anglican Church in Australia within the Parish of Mittagong but no trusts have been declared in writing concerning the same.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts it is inexpedient to carry out and observe the same and it is expedient that the same be varied and that the 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 ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. This Ordinance may be cited as the "Mittagong (Yerrinbool) Variation of Trusts and Land Sale Ordinance 1986".

2. By reason of circumstances which have arisen subsequent to the creation of the trusts it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied and that the land be sold.

3. The Corporate Trustee is hereby empowered to sell the land within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement in one or more lots and for such price or prices and subject to such terms and conditions, as to the Corporate Trustee, may seem appropriate.

4. The proceeds arising from the sale of the land after paying thereout the costs of and incidental to this Ordinance and the costs of and incidental to the sale shall be applied towards the construction, refurbishment or beautification of a :-

- (a) church;
- (b) residence for a minister, assistant to the minister or person employed by the churchwardens;
- (c) hall or halls;
- (d) School or other place of assembly;

or partly for one or another or others of those purposes or any other purposes ancillary thereto in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the Parish or other ecclesiastical district of Mittagong or any parish or ecclesiastical district into which it

may subsequently be formed or form a part and pending such application the Corporate Trustee shall invest the proceeds and capitalise the income.

SCHEDULE

ALL that piece or parcel of land situate at Yerrinbool in the Shire of Wingecarribee (formerly Nattai) Parish of Colo County of Camden being land having an area of 33 perches and being lot 94 in Deposited Plan 9882 and being the whole of the land in Certificate of Title Volume 3559 folio 208.

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 24th day of November 1986.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
24/11/1986