

ROBERTSON VARIATION OF TRUSTS AND LAND SALE ORDINANCE 1987

NO 23, 1987

AN ORDINANCE to vary the Trusts of certain land at East Kangaloon in the Shire of Wingecarribee, Parish of Kangaloon and County of Camden to permit the same to be sold and to provide for the application of the proceeds thereof.

WHEREAS

A. The land described in the First Schedule hereto is held upon the trusts expressed in St John's Roberston Vesting and Variation of Trusts and Land Sale Ordinance No 20 1970 namely "to permit the same to be used as a cemetery in connection with the Church of England in Australia in the Parish of St John Robertson".

B. It has been determined to seek approval for the subdivision of the land in the First Schedule.

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 to the extent that they are hereby varied and it is expedient to sell the land described in the Second Schedule.

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. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule is held it is inexpedient to carry out and observe the same and it is inexpedient to deal with or apply such property or any part thereof for the same or like purposes and it is expedient that such trusts be varied and that the land be sold.

2. The Corporate Trustee is hereby authorised to sell the land described in the Second Schedule 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.

Handwritten signatures

3. The proceeds arising from the sale of the land described in the Second Schedule after paying thereout the costs of and incidental to this ordinance and the costs of and incidental to the sale, shall be paid by the Corporate Trustee to the Churchwardens of St Mark's, Kangaloon to be applied by them for the maintenance and upkeep of the cemetery on the land described in the First Schedule.

4. This ordinance may be cited as the "Robertson Variation of Trusts and Land Sale Ordinance 1987"

FIRST SCHEDULE

ALL THAT piece or parcel of land at East Kangaloon in the Shire of Wingecarribee, Parish of Kangaloon and the County of Camden being Lot 2 in Deposited Plan 544120 and the whole of the land in Certificate of Title Volume 11629 Folio 7.

SECOND SCHEDULE

ALL THAT piece or parcel of land similarly situated being that part of the land in the First Schedule comprised in Lot 3 of a plan of subdivision of Mr Surveyor P D Gill reference 9878 proposed to be registered.

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

J. W. K. Brown
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 *31st* day of *August* 1987.

[Signature]
Secretary

I ASSENT to this Ordinance

[Signature]
Archbishop of Sydney
3/18/1987