

SUTHERLAND (BANGOR) LAND SALE ORDINANCE 1980

No. 24 1980

AN ORDINANCE to vary the trusts of certain land at Bangor in the Shire of Sutherland and to permit the sale thereof and to provide for the application of the proceeds.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the whole of the land comprised in Certificate of Title Volume 9613 Folio 36 more particularly described in the Schedule hereto.

B. The said land is church trust property within the meaning of the Church of England Trust Property Act, 1917 as amended held for the benefit of the Parish of St. John the Baptist Sutherland but no trusts in writing have been declared concerning the same.

C. By reason of circumstances which have arisen subsequent to the creation of the said 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.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES RULES ORDAINS AND DIRECTS as follows:

1. 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 inexpedient to deal with or apply the said land or any part thereof for the same or like purpose and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the land in the Schedule by public auction or by private contract at such time or times 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 now held.

3. (1) The Corporate Trustee shall apply the proceeds of the sale of the land:

30 (a) In paying the costs of and incidental to this Ordinance and the sale or sales and all outgoings to which the land may be subject.

35 (b) As requested from time to time by a resolution of the Parish Council for the time being of the Parish of St. John the Baptist Sutherland toward meeting the cost of purchasing a site for a Church and/or Church Hall and/or Ministers residence and for any other purpose ancillary thereto at or in the vicinity of Menai in the Parish of St. John the Baptist Sutherland.

40 (2) Pending the applications set out in sub-clause (1) of this clause the Corporate Trustee shall invest the net proceeds and capitalise the income.

4. This Ordinance may be cited as the "Sutherland (Bangor) Land Sale Ordinance 1980".

SCHEDULE

ALL THAT piece or parcel of land situate in the Shire of Sutherland Parish of Holsworthy and County of Cumberland being the whole of the land in Certificate of Title Volume 9613 Folio 36.

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

Baverley

Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of September 1980.

W. J. M. M.

Secretary

I ASSENT to this Ordinance.

M. L. Doane

Archbishop of Sydney