

SUTTON FOREST VARIATION OF TRUSTS AND LAND SALE ORDINANCE 1977NO. 9 1977

AN ORDINANCE to vary trusts and authorise the sale of certain land at Sutton Forest in the Shire of Wingecarribee and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is seised of an estate in fee simple in the land more particularly described in the Schedule hereto AND WHEREAS no trusts in writing have been declared in respect of the said land

5 AND WHEREAS the said land is church trust property AND WHEREAS by reasons 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 that the same are hereby varied

AND WHEREAS it is expedient that the said land be sold and the proceeds

10 applied as hereinafter set forth 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. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule

15 hereto 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 purpose and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such time or times and at such price

20 and upon such terms and conditions as it may determine freed from the trusts upon which the said land is now held.

3. The proceeds arising from the sale or sales hereby authorised after paying thereout the costs of and incidental to this Ordinance and of the

25 sale and transfer in pursuance thereof and all outgoings to which the said land may be subject shall be applied to the costs of the renovation and repair of the Church and Church Hall of All Saints' Sutton Forest and the burial ground attached thereto as may be determined by the Parish

Council of the Parish of Sutton Forest or such other purposes as the Standing Committee at the written request of the majority of the Parish Council of the said Parish may by resolution from time to time determine.

4. In the event of any of the proceeds of sale or sales hereby authorised being unexpended for the purposes set out in clause 3 hereof the same shall be invested by the Corporate Trustee and the income arising therefrom shall be paid at regular intervals to the Church Wardens of the Church of All Saints' Sutton Forest and applied by them for such purpose or purposes and in such manner within the said Parish as may be approved from time to time by majority of the Parish Council and by formal resolution.

5. This Ordinance may be cited as Sutton Forest Variation of Trusts and Land Sale Ordinance 1977.

SCHEDULE

ALL THAT piece or parcel of land at Sutton Forest in the Shire of Wingecarribee Parish of Bong Bong County of Camden being Lot 2 in Deposited Plan 32 and being the whole of the land in Certificate of Title Volume 10779 Folio 155.

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

Acting *Norman Jenkins*  
.....  
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 *2nd* day of *May* 1977.

*W. J. ...*  
.....  
Secretary

I ASSENT to this Ordinance.

*M. L. Doane*  
.....  
Archbishop of Sydney  
*2/5/1977*