

BERRIMA CUM MOSS VALE VARIATION OF TRUSTS AND
LAND SALE ORDINANCE 1983

No. 16 1983

AN ORDINANCE to authorise the variation of trusts and sale of certain land at Moss Vale in the Shire of Wingecarribee and provide for the application of the proceeds thereof.

WHEREAS

- A. The land described in the First Schedule hereto is vested in Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") and is held upon trust
- i) As to part to permit the same to be used for Church Parsonage or Parish Hall or partly for one and partly for another of such purposes in connection with the Anglican Church of Australia in the Parish of Berrima Cum Moss Vale at Moss Vale (hereinafter called "the Parish"); and
 - ii) As to part for a church, residence for a Minister, Assistant to the Minister, or a person employed by the Church Wardens, hall or halls, school or other places of assembly, or partly for one or another or others of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the Parish of any parish or ecclesiastical district into which it may subsequently be formed or form a part.
- B. 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 First Schedule 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 authorised to sell the land in the First 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 on and subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate, freed from the trusts upon which the land is now held.

3. The proceeds arising from the sale or sales shall be applied by the Corporate Trustee as follows:-

- (a) Firstly in payment of the costs of and incidental to this Ordinance, any subdivision and sale or sales;
- (b) Secondly as requested from time to time by resolution of the Parish Council for the time being of the Parish towards meeting the costs of constructing a rectory on the land in the Second Schedule.
- (c) Thirdly as requested from time to time by resolution of the Parish Council for the time being of the Parish towards meeting the cost of demolishing the residence presently erected on the land in the Third Schedule and constructing thereon a residence for a person employed by the Churchwardens;
- (d) Fourthly as to the balance to be invested by the Corporate Trustee and the income arising therefrom to be paid to the Churchwardens of the principal

church of the said Parish and applied by them towards the stipend of a person employed by the Churchwardens other than the Minister.

4. This Ordinance may be cited as the "Berrima Cum Moss Vale Variation of Trusts and Land Sale Ordinance 1983".

THE FIRST SCHEDULE

ALL THAT piece or parcel of land at Moss Vale in the Shire of Wingecarribee Parish of Bong Bong and County of Camden being Lot 72 in Deposited Plan 628810 and being the whole of the land in Certificate of Title Volume 14969 Folio 235.

THE SECOND SCHEDULE

ALL THAT piece or parcel of land situate as aforesaid being Lot 71 in Deposited Plan 628810 and being the whole of the land in Certificate of Title Volume 14969 Folio 236.

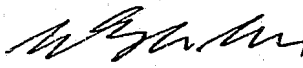
THE THIRD SCHEDULE

ALL THAT piece or parcel of land situate as aforesaid being Lot 1 in Plan annexed to Transfer B 857950 and being the whole of the land in Certificate of Title Volume 4314 Folio 168 being known as 14 Waite Street, Moss Vale.

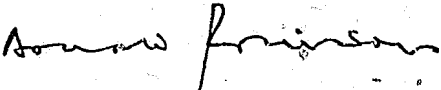
I CERTIFY that the Ordinance as printed is in accordance with the Ordinances as reported.


Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of June 1983.


Secretary

-I ASSENT to this Ordinance.


Archbishop of Sydney

27/6/1983