

CHRIST CHURCH KIAMA EASEMENT ORDINANCE

NO. 6 OF 1984

AN ORDINANCE to authorise the grant of an easement over certain lands at Terralong Street, Kiama

WHEREAS the Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is seized in fee simple of the land contained in Conveyance Number 116 Book 122 more particularly described in the First Schedule hereto AND WHEREAS the land contained in the Second Schedule is believed to be part of the land contained in Conveyance Number 116 Book 122 AND WHEREAS an easement for support of existing buildings is requested by the adjoining owner AVIWANT PTY LTD a company duly incorporated in the State of New South Wales and having its registered office at 141 Peter Street, Wagga Wagga in the said state (hereinafter called "the grantee") over the land contained in the Second Schedule AND WHEREAS the land in the First Schedule is church trust property held for the benefit of Christ Church, Kiama AND WHEREAS by reason 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 and it is expedient that the land be burdened by a grant of easement for support purposes 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 circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that such land be burdened by a grant of easement for support purposes but only for so long as the existing buildings may so exist to the grantee in fee simple.
2. The Corporate Trustee is hereby empowered to burden by a grant of easement for support of existing structure purposes the land described in the Second Schedule upon such terms and conditions as it may determine.
3. This Ordinance may be cited as "Christ Church Kiama Easement Ordinance 1984".

FIRST SCHEDULE

ALL THAT piece or parcel of land situated in the Municipality of Kiama Parish of Kiama County of Camden and being the whole of allotment 15 of section 4 and being part of the land contained in Conveyance Number 116 Book 122 having a frontage to Terralong Street, Kiama on which is erected the Church of Christ Church, Kiama.

SECOND SCHEDULE

THAT piece or parcel of land believed to be part of allotment 15 of section 4 and being part of the land contained in Conveyance Number 116 Book 122 and being the area described as "proposed easement for support buildings" in the plan of survey annexed hereto and marked with the letter "A".

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 20th day of February 1984.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
20 / 2 / 1984