

KIAMA (BROUGHTON VILLAGE) VESTING VARIATION
OF TRUSTS AND LAND SALE ORDINANCE 1984

No. 23 1984

AN ORDINANCE to vest certain property in Anglican Church Property Trust Diocese of Sydney, to authorise the Variation of Trusts in connection thereto and to permit the sale thereof 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 Indenture of Conveyance No. 15 Book 136 namely "For the use and benefit and for the purposes of the Church of England as established in the Colony of New South Wales".

B. The Bishop of Sydney for the time being is trustee of that land.

C. It is appropriate that the Bishop of Sydney cease to be trustee of that land and that the land be vested in Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee").

D. By reason of circumstances which have arisen subsequent to the creation of the trust 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 First Schedule.

F. The land described in the Second Schedule hereto is held upon trust partly for the appropriation thereof as a site of a dwelling house, garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland in New South Wales erected at Gerringong and partly for the erection thereon of a School House in connection with the United Church of England and Ireland as by law established.

NOW the Standing Committee of the Synod of the Diocese of

[Handwritten Signature]

Sydney in the name and place of the said Synod hereby

ORDAINS DIRECTS DECLARES AND RULES as follows:-

1. Consent is hereby given to the land described in the First Schedule vesting in the Corporate Trustee.
2. By reason of the circumstances which have arisen subsequent to the creation of the trust upon which the land described in the First 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 of like purposes and it is expedient that such trusts be varied and that the land be sold.
3. The Corporate Trustee is hereby authorised to sell the land described 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 subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate.
4. The proceeds arising from the sale of the land described in the First 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 Australia and New Zealand Banking Group Limited in reduction of the indebtedness of the Parish of Kiama in connection with the Gerringong Rectory situate upon the land described in the Second Schedule hereto.
5. This ordinance may be cited as the "Kiama (Broughton Village) Vesting Variation of Trusts and Land Sale Ordinance 1984".

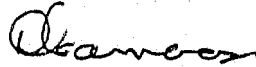
FIRST SCHEDULE

ALL THAT piece or parcel of land at Broughton Village in the Municipality of Kiama Parish of Broughton and County of Camden being the land comprised in Indenture of Conveyance No. 15, Book 136.

SECOND SCHEDULE

ALL THAT piece or parcel of land at Gerringong in the Municipality of Kiama Parish of Gerringong in the County of Camden being allotments 5 and 6 and being part of the land comprised in Certificate of Title Volume 14773 Folio 106.

I CERTIFY that the Ordinance as printed is in accordance with the Ordinance 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 24th day of *September* 1984.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney
24 / 9 / 1984