

ST. JOHN'S WILBERFORCE ORDINANCE 1981

No. 20 1981

AN ORDINANCE to authorise the sale of certain land situate at Hawkesbury River, Wilberforce and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney incorrectly described in Deed of Conveyance Book 3376 No. 951 as "The Church of England Property Trust Diocese of Sydney" (hereinafter called the "Corporate Trustee") is the registered proprietor of the land comprised in the Schedule hereto (hereinafter called "the land") AND WHEREAS the land is church trust property within the meaning of Church of England Trust Property Act 1917 (as amended) held upon trust for use for religious and charitable purposes and on the understanding that the said Diocese use the said land and/or the rents and profits thereof and/or such money or property as the same may from time to time represent as a memorial to the memory of the parents of Minnie Lucy Victoria Shakespeare, namely James Henry Dunstan and Sarah Catherine Dunstan AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the 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 land be sold and the proceeds 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 DIRECTS AND RULES as follows:-

1. By reason of circumstances that have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient that the land be sold.

2. The Corporate Trustee is hereby authorised and empowered to sell the land by public auction or private contract for such price and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts upon which the same is held and to do any such act or execute any such document as may be necessary to give effect to the provisions of this Ordinance.

3. The proceeds arising from any sale hereby authorised shall be applied towards any outgoings to which the land may be subject and the cost of selling and transferring the land and the balance derived from such sale shall be applied towards the costs of building additions and/or extensions and/or renovations to the Rectory situate in the said Parish of St. John, Wilberforce.

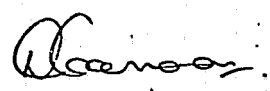
4. In the event that the land is sold and the balance of the proceeds cannot be applied for the time being towards the purpose as stated in Clause 3 hereof then the proceeds of the sale shall be invested by the Corporate Trustee and the income arising from such investment shall be added to the capital sum held or applied for such other purpose or purposes as the Standing Committee of the Synod of the Diocese of Sydney at the written request of the majority of the Parish Council of the said Parish may by resolution from time to time determine.

5. This Ordinance may be cited as "St. John's Wilberforce Ordinance 1981".

SCHEDULE

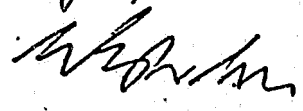
ALL THAT piece or parcel of land containing eleven acres more or less situated at Wilberforce which land includes also about one acre with house facing the Government Road being a part of Atkins Grant of eighty-two acres with piece of land is a part of Portion 44 in the Parish of Wilberforce County of Cook and adjoins the Hawkesbury River and being the land comprised in Deed of Conveyance Book 3376 No. 951.

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



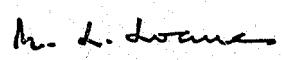
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of July 1981.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney