

CAMDEN VARIATION OF TRUSTS AND LAND SALE ORDINANCE 1985

NO. 40, 1985

AN ORDINANCE to vary the trusts of certain land at Camden to permit the sale thereof and to provide for the application of the proceeds thereof and all matters incidental thereto

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the whole of the land described in the First Schedule hereto.

B. The land in the First Schedule is church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 (as amended) and is part of the land in Deed of Feoffment dated the 8th day of May, 1841 Registered No. 938 held upon trust for the erection thereon of a Church or Chapel for the performance of divine worship according to the rights of the United Church of England and Ireland as it was then established by law and also for the erection of a residence for a Clergyman in Holy Orders and for a burial ground according to the use of the said United Church or for all or any of the said objects as the Bishop of Australia shall from time to time determine.

C. It has been determined to seek approval for the subdivision of the land in the First Schedule to enable the land in the Second Schedule to be sold.

D. By reason of circumstances which have arisen subsequent to the creation of the 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 described in the Second Schedule. 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 the circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second 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 or like purposes and it is expedient that such trusts be varied and that the land be sold.

2. The Corporate Trustee is hereby authorised to sell the land described in the Second 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,

3 The proceeds arising from the sale of the land described in the Second Schedule after paying thereout the cost of and incidental to this ordinance and the costs of and incidental to the sale, shall be paid by the Corporate Trustee to the churchwardens of St. John's Camden to be used by them for general parochial purposes.

4. This ordinance may be cited as the "Camden Variation of Trusts and Land Sale Ordinance 1985".

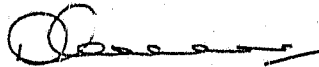
FIRST SCHEDULE

ALL THAT piece or parcel of land at Camden in the Municipality of Camden Parish of Camden and County of Camden being Lot 55 in Deposited Plan 239467.

SECOND SCHEDULE

ALL THAT piece or parcel of land similarly situated being that part of Lot 55 in D.P. 239467 incorporated within Lot 551 of a proposed Plan of Subdivision of Mr. Surveyor Darrell Roy Warry, Surveyor's reference 1093/1

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



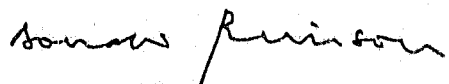
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 21st day of November 1985.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

21 / 11 / 1985