

CAMPBELLTOWN (APPIN LAND) VARIATION OF TRUSTS  
AND LAND SALE ORDINANCE 1985

No. 45, 1985

AN ORDINANCE to Vary the Trusts of certain land at Appin in the Shire of Wollondilly, to authorise the sale thereof and to provide for the application of the proceeds.

WHEREAS:

A. The land described in the First Schedule hereto is held upon the trusts expressed in Crown Grant Volume 158 Folio 133 namely "for Church of England church purposes."

B. The land in the Second Schedule is church trust property within the meaning of Anglican Church of Australia Trust Property Act, 1917 (as amended) held for the benefit of the Anglican Church of Australia at Appin but no trusts in writing have been declared concerning the same.

C. The Bishop of Sydney for the time being is trustee of those lands.

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

E. 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 First and Second Schedules.

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. Consent is hereby given to the land described in the First and Second Schedules vesting in the Corporate Trustee.

2. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the First and Second Schedules are 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 30  
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 and Second Schedules within three (3)  
years after the date of assent to this ordinance and thereafter 35  
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 40  
the First and Second Schedules after paying thereout the costs of  
and incidental to this ordinance and the costs of and incidental  
to the sale, shall be invested by the Corporate Trustee and  
applied as to the capital and income in accordance with an  
Ordinance passed by the Standing Committee at the request of the 45  
majority of the members of the Church Committee of the Church of  
St Mark the Evangelist Appin and a majority of the members of the  
Parish Council of the Parish of St Peter Campbelltown.

5. This ordinance may be cited as the "Campbelltown (Appin Land)  
Variation of Trusts and Land Sale Ordinance 1985". 50

#### FIRST SCHEDULE

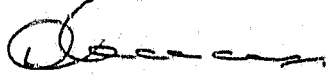
ALL THAT piece or parcel of land at Appin in the County of  
Cumberland Parish of Appin and shire of Wollondilly being  
allotment eighteen of Section No 3 of the town of Appin and being  
part of the land in Crown Grant Volume 158 Folio 133.

#### SECOND SCHEDULE

ALL THAT piece or parcel of land similarly situated being Lot 13  
of Section No 3 of the town of Appin and being the land in Town  
Purchase No 75 page 181.

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*D E*

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 25th day of November 1985.



Secretary

I ASSENT to this Ordinance



Archbishop of Sydney  
25/11/1985

