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*Christ Church Kiama Sale Ordinance 1954.*

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No. 14, 1954.

AN ORDINANCE to authorise the sale of certain land situated in the Parish of Christ Church Kiama and to provide for the application of the proceeds thereof and for purposes connected therewith or incidental thereto.

WHEREAS:

- (a) By Crown Grant dated the thirtieth day of May 1844 Registered in the Register of Grants of the United Church of England and Ireland No. 65 Page 47 certain land containing one acre situated in Bong Bong Street Kiama (being the land set out in the Schedule hereto hereinafter called "the said land") was granted to the Right Reverend William Grant Broughton Bishop of Australia or the Bishop of Australia for the time being as sole Trustee upon trust for the erection thereon of a Church of the United Church of England and Ireland as by law established but no Church is now erected thereon and the Church known as Christ Church Kiama is erected on another site.
- (b) Clause 2 of the Christ Church Kiama Lands Leasing Amendment Ordinance of 1952 (hereinafter called the 1952 Ordinance) provided that inter alia the said land should be demised on building leases as therein mentioned.
- (c) Clause 3 of the 1952 Ordinance provided that the Churchwardens of Christ Church Kiama were thereby appointed to receive the rents and profits under any lease or leases and after payment of the expenses therein mentioned should apply the same in or towards the maintenance repair and improvement of Christ Church Kiama aforesaid and of the School House and Minister's Dwelling House annexed thereto and should apply any moneys not so required to be applied as aforesaid for such general purposes in connection with the said Church and Parish as they should deem expedient.

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- (d) By Deed of Consent dated the 21st March 1930 the said land became vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trust).
- (e) The said land is Church Trust property and is not now required for Church purposes.

Now therefore the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and directs as follows:—

1. By reason of circumstances subsequent to the creation of the said recited trusts it has become expedient that the said land be sold.

2. The Corporate Trust is authorised to sell the said land by public auction or private contract as a whole or in several lots for cash or on credit at such price or prices and on and subject to such terms as the Corporate Trust may deem proper freed from the trusts aforesaid with power to vary or rescind any contract of sale and to buy in at any auction.

3. (1) The purchase money arising from such sale or sales after providing for all costs charges and expenses of and incidental to this Ordinance and any such sale or sales shall be invested in any trust investment authorised by Statute or by the Investment of Church Trust Property Ordinance 1944.

(2) The income of such investment shall be applied in accordance with Clause 3 of the 1952 Ordinance as hereinbefore recited.

4. This Ordinance may be cited as "Christ Church Kiama Sale Ordinance 1954."

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THE SCHEDULE.

All that piece or parcel of land containing by admeasurement One acre be the same more or less situated in the County of Camden and Parish of Kiama Town of Kiama Allotments Numbers Three and Four of Section Number Three Commencing at the northernmost corner of Allotment Number Five on Manning Street and bounded on the west by Manning Street being a line bearing north twenty seven degrees east two chains on the north by Bong Bong Street being a line bearing south sixty three degrees east five chains on the east by Allotment Number Two being a line bearing south twenty seven degrees west two chains and on the south by Allotment Number Five being a line bearing north sixty three degrees west five chains to the northernmost corner of Allotment Number Five on Manning Street as aforesaid.

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I certify that the Ordinance as printed is in accordance with the Ordinance as passed.

W. G. HILLIARD, Bishop,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the second day of June, 1954.

H. V. ARCHINAL,  
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,  
Archbishop of Sydney.

4/6/1954