

CORRIMAL VARIATION OF TRUSTS AND LAND SALE ORDINANCE 1986

NO. 51, 1986

AN ORDINANCE to vary the trusts of land at Bellambi in the City of Wollongong Parish of Woonona and County of Camden to permit the same to be sold and to provide for the application of the proceeds thereof.

WHEREAS

A. Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the whole of the land comprised in Certificate of Title Volume 14011 Folio 125 more particularly described in the Schedule hereto.

B. The land in the Schedule is church trust property within the meaning of Anglican Church of Australia Trust Property Act 1917 (as amended) and is believed to be held upon trust for the Anglican Church of Australia at Bellambi in the Parish of Corrimal, but no trusts in writing have been declared concerning the same.

C. 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 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 Schedule is held, it is inexpedient to carry out and observe the same, 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 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. (1) The proceeds arising from the sale of the land described in the 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:

- (a) As to ten per centum (10%) thereof to the Archbishop of Sydney's Vision for Growth Appeal Fund; and
- (b) As to the balance, to the Churchwardens of St. Alban's Corrimal and applied by them towards the repair, maintenance and refurbishing of the church, church hall and rectory at Corrimal.

(2) Pending the application set out in subclause (1) of this clause, the Corporate Trustee shall invest the net proceeds and capitalise the income.

4. This Ordinance may be cited as the "Corrimal Variation of Trusts and Land Sale Ordinance 1986".

SCHEDULE

ALL THAT piece or parcel of land at Bellambi in the City of Wollongong Parish of Woonona and County of Camden being the whole of the land in Certificate of Title Volume 14011 Folio 125 and being Lot 107 in Deposited Plan 604103.

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

E.D. CAMERON
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 November 1986.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
24/11/1986