
*The Home Mission Society (Flora Street Kirrawee)
Declaration and Variation of Trusts and Land Sale
Ordinance 1971*

No. 12, 1971

AN ORDINANCE to declare and vary the trusts of certain land in Flora Street Kirrawee to authorise the sale of such land and to provide for the application of the proceeds of such sale.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor in fee simple of the land in Flora Street Kirrawee more particularly described in the Schedule hereto AND WHEREAS such land has been acquired for the purposes of parish nursing homes and/or hostels in accordance with the provisions of The Home Mission Society Ordinance of 1911 AND WHEREAS the said land is church trust property but no trusts in writing have been declared concerning the same AND WHEREAS it is now expedient to declare the trusts of the said land AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the said 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 AND DIRECTS as follows:—

1. The land described in the Schedule hereto shall be held by the Corporate Trustee upon trust for the Home Mission Society for the purposes of parish nursing homes and/or hostels in accordance with the provisions of The Home Mission Society Ordinance 1911.

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

3. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such time and at such price and upon such terms and conditions as the Council of the Home Mission Society and the Corporate Trustee may determine freed from any trusts whatsoever.

4. The proceeds of any sale hereby authorised shall be applied by the Corporate Trustee as follows:—

- (a) In payment of the costs charges and expenses of and incidental to this Ordinance and the sale and transfer hereby authorised.

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(b) Subject thereto the balance shall be paid to the Home Mission Society whose receipt shall be a sufficient discharge therefor and which shall apply such moneys in terms of The Home Mission Society Ordinance of 1911, or any ordinance amending or replacing the same.

5. This Ordinance may be cited as "The Home Mission Society (Flora Street Kirrawee) Declaration and Variation of Trusts and Land Sale Ordinance 1971".

SCHEDULE

ALL THAT piece or parcel of land situated in the Shire of Sutherland Parish of Sutherland and County of Cumberland State of New South Wales being Lot Y in Plan lodged with Transfer No. G42424 and the whole of the land comprised in Certificate of Title Volume 6951 Folio 93 having a frontage to Flora Street of 112 feet with a depth of 148 feet known as 88-90 Flora Street Kirrawee.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 31st day of May, 1971.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

F. O. HULME-MOIR,
Commissary.

31/5/1971.