

KANGAROO VALLEY VARIATION OF TRUSTS AND LAND

SALE ORDINANCE 1977

No. 58 1977

AN ORDINANCE to vary the trusts and to authorise the sale of certain land in the Shire of Shoalhaven and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is seised of an estate in fee simple in

the land more particularly described in the Schedule hereto AND WHEREAS such land is church trust property held for the sole benefit of the

5 Provisional Parish of Kangaroo Valley but no trusts have been declared in writing in respect thereof AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which such land is held it is inexpedient to carry out and observe the same to the extent

10 that the same are hereby varied AND WHEREAS 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. 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
15 out and observe the same to the extent to which such trusts are hereby varied and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land described in the Schedule hereto by public auction or private contract at
20 such time or times and at such price and upon such terms and conditions as it may determine freed from the trusts upon which the land is now held.

3. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this ordinance and of the subdivision and sale and transfer in pursuance thereof and all outgoings to which the
25 said land may be subject shall be paid to the Churchwardens of the Church of The Good Shepherd Kangaroo Valley and applied by them firstly to indemnify Mr. Gilbert Lidbetter against the payment by him of the sum of \$5,000 in part satisfaction of the Judgment obtained against him by

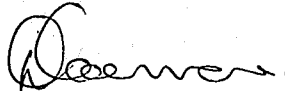
Master Denver Rodden in the Supreme Court of New South Wales Common Law Division No. 1118 of 1972 and thereafter for general parochial purposes.

30 4. This Ordinance may be cited as "Kangaroo Valley Variation of Trusts and Land Sale Ordinance 1977".

SCHEDULE

ALL THAT piece or parcel of land situate at Kangaroo Valley in the Shire of Shoalhaven Parish of Bugong County of Camden being part of the land in Certificate of Title Volume 586 Folio 242 and being Lot 1 in a plan of subdivision prepared by Mr. G.C. Scarratt Registered Surveyor Reference No. 751/10/101 and proposed to be registered.

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



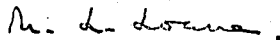
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 12th day of December 1977.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

12/17/1977.