
*St. John The Baptist Sutherland Declaration and Variation
of Trusts and Land Sale Ordinance 1967*

No. 53, 1967.

AN ORDINANCE to vary and declare the trusts and to authorise the sale of certain land at Mundakal Avenue, Kirrawee, and to provide for the application of the proceeds.

WHEREAS the Church of England Property Trust Diocese of Sydney is the registered proprietor of the land comprised in Certificate of Title Volume 9030 Folio 178 more particularly described in the first part of the Schedule hereto AND WHEREAS the said land is now 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 to the extent to which the same are hereby varied and it is expedient that part of the said land being the land more particularly described in the second part of the Schedule hereto 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 first part of the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one or partly for another of such purposes in connection with the Church of England in Australia in the Parish of St. John The Baptist Sutherland or any Parish into which it may subsequently be formed.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land described in the second part of the Schedule hereto 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 land described in the second part of the Schedule hereto by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as the Parish Council of the said Parish and the Corporate Trustee may determine freed from any trusts whatsoever.

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4. The proceeds arising from the sale of the said land after paying thereout the costs of and incidental to this Ordinance and of the sale and transfer in pursuance thereof and all charges and other outgoings to which the said land may be subject shall be paid to the Churchwardens for the said Parish to be applied by them for the benefit of the residue of the property described in the first part of the Schedule after such sale.

5. This Ordinance may be cited as "St. John the Baptist Sutherland Declaration and Variation of Trusts and Land Sale Ordinance: 1967".

THE SCHEDULE

First Part

All that piece or parcel of land situate at Kirrawee in the Shire and Parish of Sutherland and County of Cumberland being Lot 2 in Deposited Plan No. 28687 and being the whole of the land comprised in Certificate of Title Volume 9030 Folio 178.

Second Part

All that piece or parcel of land situate as aforesaid being part of Lot 2 in the said Deposited Plan and having a frontage of 55' 1 $\frac{3}{4}$ " to Mundakal Avenue by depths of 18' 1 $\frac{3}{4}$ " on one side and 15' on the other side with a rear dimension of 55' (all dimensions being more or less) being part of the land comprised in Certificate of Title Volume 9030 Folio 178.

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 18th day of December, 1967.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

18/12/1967.