

SUTTON FOREST (BUNDANON LAND) VARIATION OF TRUSTS
AND LAND SALE ORDINANCE 1985

NO. 41, 1985

AN ORDINANCE to vary the trusts of land at Bundanoon in the Shire of Wingecarribee Parish of Sutton Forest 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 6307 Folio 166 more particularly described in the Schedule hereto. 5

B. The land in the Schedule is church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 (as amended) held for the sole benefit of the Parish of Sutton Forest but no trusts in writing have been declared concerning the same. 10

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. 15

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod 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 and 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. 20 25

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. 30

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 35

to the sale, shall be paid by the Corporate Trustee to the Churchwardens of the Churches of All Saints' Sutton Forest, St Aidan's Exeter and Holy Trinity Bundanoon and applied by them towards the construction of a rectory upon land in the Parish held upon trust for the Parish or for the purchase of a rectory within the parish. *and furnishings* *and furnishings*

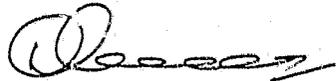
(2) Pending the application set out in sub-clause 1 of this clause the Corporate Trustee shall invest the net proceeds and capitalise the income.

4. This ordinance may be cited as the "Sutton Forest (Bundanoon Land) Variation of Trusts and Land Sale Ordinance 1985".

FIRST SCHEDULE

ALL THAT piece or parcel of land at Bundanoon in the Shire of Wingecarribee Parish of Sutton Forest and County of Camden being the whole of the land in Certificate of Title Volume 6307 Folio 166 and being part portion 90 of the Parish.

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 *25th* day of *November* 1985.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

21-11 /1985