

CAMPBELLTOWN (APPIN LAND) VARIATION
OF TRUSTS AND LAND SALE ORDINANCE 1981

No. 11, 1981

AN ORDINANCE to vary the trusts of certain land at Appin in the Shire of Wollondilly to authorise the sale thereof and to provide for the application of the proceeds.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is seized of an estate in fee simple in the land described in the Schedule hereto (hereinafter called "the land").

B. The land is church trust property within the meaning of the Church of England Trust Property Act, 1917 (as amended).

C. The land is held pursuant to the trusts contained in Crown Grant dated 9th May, 1842 Registered Serial No. 78 Page 1 namely for the appropriation thereof as the Glebe annexed to the Church of the United Church of England and Ireland as by law established erected at Appin and known as St. Mark's in conformity with the provisions of the Act 8 William IV No. 5 and the Act 7 William IV No. 3.

D. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe same to the extent to which the same are hereby varied.

E. It is expedient that the land be sold and the proceeds applied as hereinafter set out.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES RULES ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that such trusts be varied as hereinafter set out.

25. 2. The Corporate Trustee is hereby empowered to seek approval to subdivide the land in such manner as it shall think fit and to proceed subsequently with the registration of such plan or plans of subdivision as may be approved.
30. 3. The Corporate Trustee is hereby empowered to sell the said land in one or more parcels by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as it may determine, but reserving to the Corporate Trustee the mineral rights (if any) which it may now hold in the land, freed from the trusts upon which the said land is now held.
35. 4. The proceeds arising from the sale or sales shall be applied as follows:-
- (a) First in payment of the costs of and incidental to this Ordinance, the subdivision or subdivisions and sale or sales;
 - 40. (b) secondly to repay any rates in respect of the said land owing to the Wollondilly Shire Council and the Metropolitan Water Sewerage and Drainage Board;
 - (c) thirdly as to the balance thereof such moneys shall be
45. invested by the Corporate Trustee and applied as to capital and income in accordance with an ordinance passed by the Standing Committee at the request of a majority of the members of the Church Committee of the Church of St. Mark the Evangelist, Appin and a majority of the members of the Parish Council of the
50. Parish of St. Peter, Campbelltown.
5. This Ordinance may be cited as the "Campbelltown (Appin Land) Variation of Trusts and Land Sale Ordinance 1981".

SCHEDULE

ALL THAT piece or parcel of land at Appin in the Shire of Wollondilly Parish of Appin and County of Cumberland containing by admeasurement 40 acres being the whole of the land in Land Grant 78 Page 1

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 25th day of May 1981

W. Min.

Acting - Secretary

I ASSENT to this Ordinance

McBain
Archbishop of Sydney Commissary
/19.