
Kangaroo Valley Vesting and Land Sale Ordinance 1972

No. 11, 1972

AN ORDINANCE to vest certain lands at Kangaroo Valley in Church of England Property Trust Diocese of Sydney to vary the trusts of certain lands to authorise the sale of lands and to provide for the application of the proceeds of such sale.

WHEREAS the Lord Bishop of Sydney is registered as the proprietor of an estate in fee simple of the land comprised in Certificate of Title Volume 580 Folio 242 AND WHEREAS no trusts in writing have been declared in respect of the said land AND WHEREAS the land more particularly described in the First Part of the First Schedule hereto is part of the said land AND WHEREAS the Right Reverend The Lord Bishop of Sydney is registered as the proprietor of an estate in fee simple of the land comprised in Land Grant Volume 293 Folio 218 more particularly described in the Second Part of the First Schedule hereto AND WHEREAS the said land is held upon trust for the erection thereon of a Church of the United Church of England and Ireland AND WHEREAS the Right Reverend the Lord Bishop of Sydney is registered as the proprietor of an estate in fee simple of the land comprised in Land Grant Volume 293 Folio 219 more particularly described in the Third Part of the First Schedule hereto AND WHEREAS the said land is held upon trust as a site of a dwelling house garden and other appurtenances AND WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as the proprietor of an estate in fee simple of the land described in the Second Schedule and comprised in Certificate of Title Volume 1644 Folio 4 AND WHEREAS no trusts in writing have been declared in respect of the said land AND WHEREAS all the said lands are church trust property and are situated within the Parish of Kangaroo Valley AND WHEREAS the Corporate Trustee is entitled to be registered as owner of the lands described in the First Schedule hereto together with the residue of the land comprised in Certificate of Title Volume 586 Folio 242 and it is expedient that the said lands be vested in such Corporate Trustee AND WHEREAS by reason of circumstances which have arisen subsequent to the trusts upon which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the lands more particularly described in the First and Second Schedules 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

Kangaroo Valley Vesting and Land Sale Ordinance 1972

of such Synod HEREBY DECLARES ORDAINS RULES AND DIRECTS as follows:—

1. The lands described in the First Schedule hereto together with the residue of the land comprised in Certificate of Title Volume 586 Folio 242 be and the same are hereby vested in the Corporate Trustee.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the First and Second Schedules hereto are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

3. The Corporate Trustee is hereby empowered to sell the lands described in the First and Second Schedules 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 it may think fit freed from all trusts.

4. The proceeds arising from the sale or sales of the said lands after paying thereout all outgoings to which the lands may be subject, the costs of and incidental to this Ordinance and of any sale or sales and transfer or transfers in pursuance thereof shall be paid to the Churchwardens for the time being of the Church of the Good Shepherd Kangaroo Valley and applied by them towards the cost of renovations and repairs to the rectory at Kangaroo Valley.

5. This Ordinance may be cited as "Kangaroo Valley Vesting and Land Sale Ordinance 1972".

FIRST SCHEDULE

FIRST PART

ALL THAT piece or parcel of land situate in the town of Kangaroo Valley Parish of Bugong and County of Camden being part of Portion 26 of the said Parish and part of the land shown in Certificate of Title Volume 586 Folio 242 COMMENCING at the Eastern corner of the land shown in Certificate of Title Volume 586 Folio 242 which point is also the intersection of the South-western side of Shoalhaven Road (M.R. 261) and the North-western side of Bugong Road and bounded thence by the North-western side of Bugong Road aforesaid bearing 237 degrees 57 minutes 50 seconds distant 240.54 links thence of the North-west by fenced lines bearing successively 46 degrees 51 minutes distant 84.83 links, 38 degrees 16 minutes distant 71.58 links and 2 degrees 59 minutes 30 seconds distant 60.91 links, thence on the South-west by a fenced line

Kangaroo Valley Vesting and Land Sale Ordinance 1972

bearing 335 degrees 34 minutes 20 seconds distant 62.47 links to the South-western side of Shoalhaven Road aforesaid, thence along the South-western side of Shoalhaven Road bearing 130 degrees 54 minutes distant 159.25 links to the point of commencement having an area of 15.1 perches or thereabouts.

SECOND PART

ALL THAT piece or parcel of land containing by admeasurement one acre be the same more or less situated in the County of Camden Parish of Burrawang and State of New South Wales COMMENCING on the Northern side of a road one chain wide at the South-western corner of the appropriation of two roads for a Church of England parsonage and bounded thence on the South by that road dividing it from part of J. G. Collins' eight hundred acres bearing West four chains and seven links on the West by a line bearing North two chains and forty-six links on the North by a line bearing East four chains and seven links and on the East by the Western boundary of the appropriation of two roads aforesaid bearing South two chains and forty-six links to the point of commencement being the whole of the land comprised in Land Grant Volume 293 Folio 218.

THIRD PART

ALL THAT piece or parcel of land containing by admeasurement two roods be the same more or less situated in the County of Camden Parish of Burrawang and State of New South Wales COMMENCING at a point distant one chain West from the South-western corner of portion one hundred and thirty-three of fifty acres and bounded thence on the East by a road one chain wide dividing it from part of that portion bearing North two chains and forty-six links on the North by a line bearing West two chains and five links on the West by the Eastern boundary of the appropriation for a Church of England church of one acre bearing South two chains and forty-six links and on the South by a road one chain wide dividing it from part of J. G. Collins' eight hundred acres East two chains and five links to the point of commencement and being the whole of the land comprised in Land Grant Volume 293 Folio 219.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated in the Shire of Shoalhaven Parish of Yarrawa and County of Camden containing two roods or thereabouts as shown on the plan endorsed on the Certificate of Title and being part of Portion 73 delineated in the public map

Kangaroo Valley Vesting and Land Sale Ordinance 1972

of the said Parish deposited in the Department of Lands originally granted to William Brain by Crown Grant dated the Thirtieth day of March One thousand eight hundred and eighty-six registered in the Land Titles Office Sydney Volume 783 Folio 130 and being the whole of the land contained in Certificate of Title Volume 1644 Folio 4 COMMENCING on the Eastern side of a road one chain wide from Barrengarry to Upper Kangaroo River at the South-western corner of land of the said William Brain and bounded thence by that land being lines bearing Easterly two chains Southerly two chains 51 links and Westerly two chains, to the road one chain wide aforesaid and on the West by that road bearing Northerly two chains 51 links to the point of commencement.

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 24th day of April, 1972.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

24/4/1972.