

ST. PETER'S AND ST. PAUL'S MILTON
(ULLADULLA) VARIATION OF TRUST AND
LAND SALE ORDINANCE 1976

No. 19 1976

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

WHEREAS the 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 no trusts in writing have been declared in respect of the said land AND

5 WHEREAS the said land is church trust property AND WHEREAS by reasons 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 that the same are hereby varied AND

WHEREAS it is expedient that the said land be sold and the proceeds

10 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 land described in the Schedule
 15 hereto 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 the said land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land
 20 by public auction or private contract at 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 said land is now held.

3. The proceeds arising from the sale of the said land after paying
 25 thereout the costs of and incidental to this Ordinance and of the sale and conveyance in pursuance thereof and all outgoings to which the said land may be subject shall be held in trust for the Parish of Milton and

invested and the income arising from such investment shall be paid to the Churchwardens for the time being of St. Peter's and St. Paul's Church Milton and applied by them for general parochial purposes. Provided that the Churchwardens shall pay the arrears of diocesan assessments owing by the Parish at the date of this Ordinance out of the income so paid by equal annual instalments over three years, the first of such instalments to be paid on the first anniversary of the investment referred to in this Clause.

4. This Ordinance may be cited as the "St. Peter's and St. Paul's Milton (Ulladulla) Variation of Trusts and Land Sale Ordinance 1976".

SCHEDULE

ALL THAT piece or parcel of land at Ulladulla in the Shire of Shoalhaven Parish of Ulladulla and County of St. Vincent being Allotment 3 of Section 3a and being the whole of the land in Certificate of Title Volume 376 Folio 118 and ALL THAT piece or parcel of land at Ulladulla in the Shire of Shoalhaven, Parish of Ulladulla County of St. Vincent being Allotment 2 of Section 3a as shown in Plan Catalogue No. C885-730 in the Department of Lands and being the whole of the land in Certificate of Title Volume 10558 Folio 73.

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

D. Cameron
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28th day of June 1976.

W. Gotley
Secretary

I ASSENT to this ordinance.

M.L. Loane
Archbishop of Sydney
28 / 6/76