

ROUS LAND SALE ORDINANCE

ORDINANCE NO. 20 OF 1989.

An Ordinance to provide for the sale of certain lands at Rous in Parish of Alstonville and matters incidental thereto.

PREAMBLE

WHEREAS the lands described in the Schedule hereto were leased by William Davis to the Corporate Trustees of the Diocese of Grafton and Armidale by an Indenture dated the thirty-first day of December 1986 for the erection of a church AND WHEREAS such church was erected AND WHEREAS BY Instrument of Transfer No. C363564 dated the twenty-first day of February 1935 the Trustees of the Estate of the aforesaid William Davis the said lands were vested in the Corporate Trustees of the Diocese of Grafton AND WHEREAS such instrument of transfer contained a covenant that the land would not at any time be used for any purpose except religious purposes or purposes ancillary thereto AND WHEREAS by a Deed of Covenant dated the thirty first day of July 1935 the said Corporate Trustees of the Diocese of Grafton as Covenantors did covenant with the said Trustees of the Estate of the said William Davis as Covenantees that should the said land cease at any time to be used or required for religious purposes the said Covenantors at the request and cost of the Covenantees their executors administrators or assigns would forthwith execute a transfer of the said land to the Covenantees their executors or assigns or their nominees AND WHEREAS a Caveat No. C367037 dated the thirteenth day of September 1935 has been lodged AND WHEREAS it is desirous that the aforesaid Covenants and Caveat be removed and the land sold AND WHEREAS by the Anglican Church of Australia Trust Property Act of 1917 and the Church Trust Property Ordinance 1934 the Bishop-in-Council is empowered during a recess of Synod to exercise certain powers of Synod including the powers conferred by Part VI of the said Act AND WHEREAS such recess now exists THEREFORE the Bishop-in-Council in pursuance of such powers and in the name of the Synod ordains directs and rules as follows:-

OPINION

1. It has become and is expedient by reason of circumstances subsequent to the creation of the trusts relating to the lands described in the Schedule hereto to sell the same.

POWERS OF CORPORATE TRUSTEES

2. The Corporate Trustees in whom the said lands are vested are hereby empowered and directed to do all such things as may be necessary to remove the covenants and caveat and to sell the said lands by public auction or private contract and for such sum or sums of money and upon such conditions as may be determined by the Corporate Trustees.
3. The Corporate Trustees are hereby authorised to execute and do all necessary deeds, conveyances, transfers, assurances and other instruments, acts and things for giving full and complete effect to the provisions of this Ordinance.
4. The moneys arising out of such sale shall be paid to the Corporate Trustees and after provision has been made for all costs, charges and expenses relating hereto shall be used for such capital works in the Parish of Alstonville as the Parish Council shall determine and the Bishop-in-Council may approve.

SHORT TITLE

5. This Ordinance may be cited as the Rous Land Sale Ordinance No. 1989.

SCHEDULE

ALL that piece or parcel of land by admeasurement 2023 m² more or less, situated in the Parish of Tuckombil, County of Rous, being lot 1 in Deposited Plan 331537 and being the whole of the land in Certificate of Title Vol. 4711 Fol. 216

I hereby certify that the Ordinance as printed is in accordance with the Ordinance as passed.

R. J. ...
Chairman of Committees

I hereby Certify that the Ordinance was passed by Bishop-in-Council on Thursday 16th November 1989.

[Signature]
Registrar

I assent to this Ordinance

+ *[Signature]*
Bishop