

MURWILLUMBAH LAND SALE ORDINANCE 1959

WHEREAS the lands described in the Schedule hereto (and hereinafter called "the said lands") are vested in the Corporate Trustees of the Diocese of Grafton (hereinafter called "the Corporate Trustees") AND WHEREAS it is expedient that the said lands so described be sold AND WHEREAS by Act of Parliament passed in the eighth year of the reign of His Majesty King George the Fifth entitled "Church of England Trust Property Act 1917, No 21" it was enacted that during the recess of the Synod a Committee Council or other body of persons appointed for that purpose by Ordinance might in place of the Synod of the Diocese exercise such of the powers and functions and do and make such of the things referred to in the said Act as should be determined by Ordinance of the Synod of such Diocese AND WHEREAS by an Ordinance of the Synod of the Diocese of Grafton passed in the year One thousand nine hundred and thirty four the Bishop-in-Council was appointed for the purpose of exercising and might accordingly during the recess of such Synod of the said Diocese exercise in the place of such Synod any or all of the things referred to in Section 26 of the said Act as may be done by the Synod AND WHEREAS such Synod is now in recess NOW THEREFORE the Bishop-in-Council of the Synod of the Diocese of Grafton in pursuance of the powers in that behalf conferred upon it by the said Act and the said Ordinance and in pursuance of the powers vested in the said Synod by the constitution for the management and good government of the Church of England within the State of New South Wales and by the "Church of England Trust Property Act 1917" or otherwise in the name and in the place of such Synod ordains directs and rules as follows:

OPINION

1. It has become and is inexpedient to carry out or observe the particular trust or trusts upon which the said lands comprised in the Schedule hereto is or are held and it is expedient to sell the same.

POWER TO SELL

2. The Corporate Trustees in whom the said lands are vested are hereby empowered and directed to sell the same or any part or parts thereof by public auction or private contract and for such sum or sums of money and upon such terms and conditions as may be determined by the Corporate Trustees and may accept a mortgage or mortgages to secure the payment of the whole or any part of the purchase money and may transfer or sub-mortgage such mortgage for the purpose of securing the repayment of any liability owing by the Corporate Trustees on the security of the said lands.
3. No purchaser of the said lands or any part or parts thereof under the powers hereby conferred shall be bound or concerned to inquire whether such power shall have been duly and properly exercised in accordance with the next preceding section of this Ordinance or be affected by any notice to the contrary.
4. 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 according to its true intent and meaning and to convey transfer and assure the said lands or any part or parts thereof to any purchaser or purchasers of the same or to any sub-purchaser thereof by his or their direction.
5. The moneys arising from any sale or sales shall be paid to the Corporate Trustees and after provision has been made for costs and charges relative thereto and for any outstanding liability on the said lands and for costs and charges incidental to the drafting and promotion of this Ordinance in respect of which Section 40 of the Church of England Trust Property Act 1917 shall thereby be deemed to have been complied with shall be held by the Corporate Trustees and by them applied to such purposes as the Parochial Council of Murwillumbah may desire or in such other manner and towards such other purpose as the Bishop-in-Council shall direct.

SHORT TITLE

6. This Ordinance may be cited and known as the Murwillumbah Land Sale Ordinance 1959.

SCHEDULE

ALL THAT piece of land being Lot 5 of Section 1 in Deposited Plan No 26386 comprising  $25\frac{3}{4}$  perches and being part of portion 24 and being also the whole of the land comprised in Certificate of Title dated the 8th August, 1958, Volume 7544, Folio 142.

I certify that this Ordinance was passed by the Bishop-in-Council on the 24th day of June, 1959.

D. G. Singleton Registrar.

I assent to this Ordinance.

Clunck, Grafton Bishop.

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

Ray Ganges  
Chairman of Committees.