

TYNDALE LAND SALE ORDINANCE 1962

WHEREAS the lands described in the Schedule hereto (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 be sold AND WHEREAS by Section 40 of the Church of England Property Act 1917 it was enacted that during the recess of the Synod of a Diocese such committee council or other body of persons as should be constituted for the purpose by Ordinance of such Synod might exercise such of the powers and functions and do and make such of the things referred to in that Act as such Synod should from time to time by Ordinance direct AND WHEREAS by Section 42 of the Church Property Ordinance 1934 the Synod of the Diocese of Grafton appointed the Bishop-in-Council of the said Diocese to exercise within the said Diocese and during the recess of the said Synod certain powers given to the said Synod by the said Act including the powers conferred by Section 26 thereof AND WHEREAS the said 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 Ordinance and 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:-

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 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 lands 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 shall be paid to the Corporate Trustees and after provision has been made for all costs charges and expenses relative thereto shall be held by the Corporate Trustees and by them applied to such purposes as the Parish Council of Maclean may desire or in such manner and towards such other purpose or purposes as the Bishop-in-Council shall direct.

SHORT TITLE

6. This Ordinance may be cited and known as the Tyndale Land Sale Ordinance 1962.

SCHEDULE

ALL THAT piece or parcel of land containing by measurement one rood two perches be the same more or less situated in the Parish of Tyndale County of Clarence being a sub-division of portion number six commencing at the intersection of the south boundary of the surveyed line of road with the western boundary of portion number six Parish of Tyndale County of Clarence bearing South about fifty links from the north-west corner of that portion and bearing north seventy nine degrees thirty four minutes east sixteen links from the nearest angle peg of the aforesaid road and bounded thence on the north west by part of the south east boundary of the aforesaid road bearing north seventy nine degrees thirty four minutes east two hundred links thence on the north east by a line bearing south nine degrees forty minutes east one hundred and twenty five links thence on the south east by a line bearing south seventy nine degrees thirty four minutes west two hundred and twenty three links to the west boundary of portion six aforesaid thence on the west by part of the west boundary of portion six aforesaid bearing north one hundred and twenty seven links to the point of commencement.

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


Chairman of Committees

I hereby certify that the Ordinance was passed by the Bishop-in-Council on the eighth day of November, 1962.


Registrar

I assent to this Ordinance.


Bishop