

The Kempsey Hostel Land Sale Ordinance, 1941.

WHEREAS the lands (hereinafter called the "said lands") described in the Schedule hereto are vested in the Corporate Trustees of the Diocese of Grafton (hereinafter called the Trustees) AND WHEREAS it is expedient that the said lands so described be sold NOW THEREFORE the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled in pursuance of the powers in that behalf conferred upon it by the Constitutions 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 (No. 21) and of all the other powers thereunto enabling it, ordains, declares, determines 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 Trustees in whom the said lands are vested are hereby empowered and directed to sell the said lands 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 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 Trustees on the security of the said lands.

3. No purchaser of the said lands or 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 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 the purchaser of the same or to any sub-purchaser thereof by his direction.

5. The moneys arising from any sale or sales shall be paid to the 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 Trust Property Ordinance 1934 shall thereby be deemed to have been complied with shall be held by the Trustees and by them applied in such manner and towards such purpose as the Bishop-in-Council shall direct.

SHORT TITLE.

6. This Ordinance may be cited and known as the Kempsey Hostel Lands Sale Ordinance 1941.

SCHEDULE.

ALL THAT piece or parcel of land situated in the County of Dudley, Parish of Yarravel and town of West Kempsey, being allotments 15, 16 and 17, of Section 12a, containing by admeasurement one acre and two roods be the same more or less and being the whole of the lands comprised in Certificate of Title Volume 3353, Folio 198 and Land Grants, Value LV, Folios 192 and 161.

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

H. A. EVANS,
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Grafton on the Twenty-third day of September, 1941.

H. E. HUNT, Clerical Secretary.
R. W. WITTLETON, Lay Secretary.

I assent to this Ordinance,

W. H. W. GRAFTON,
Bishop.

23/9/1941