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PORT MACQUARIE GLEBE ORDINANCE 1948.

WHEREAS the land (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 by reason of circumstances subsequent to the creation of the Trusts under which the said land is held it has become inexpedient for the Trustees to carry out the said Trusts and it is expedient that the said land be subdivided and sold exchanged mortgaged let on building occupation or other leases or otherwise dealt with in manner hereinafter provided AND WHEREAS by Act of Parliament passed on 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 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 powers and functions and do and make any or all of the things referred to in Section 26 of the said Act as may be done by the Synod 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 is or are held and it is expedient to subdivide the same and sell exchange mortgage let on building occupation or other leases or otherwise deal with the same in manner hereinafter provided.

REPEAL

2. The Port Macquarie Glebe Lease Ordinance 1946 is hereby repealed but except so far as there is anything in this Ordinance inconsistent therewith, this Ordinance shall apply to all matters and things made, done, or commenced under the said repealed Ordinance, and at the commencement of this Ordinance of any force or effect or capable of acquiring any force or effect by virtue of the said repealed Ordinance as if this Ordinance had been in force at the time they were made, done, or commenced, and they were made, done, or commenced hereunder.

POWERS OF DISPOSITION AND MORTGAGE

3. The said land may be subdivided and the whole or any part or parts thereof or any subdivision allotment or allotments may be sold exchanged mortgaged let on building occupation or other leases or otherwise dealt with, and the said Trustees may accept surrenders of leases and lay out and dedicate such part or parts thereof for any purpose or purposes in such manner and upon such terms and conditions as they may in their discretion think fit.*

4. The said Trustees may enter into such bond or other personal covenant with the Council of the Municipality of Port Macquarie in such sum and upon such terms and conditions as the said Council may require and the said Trustees approve, for the due construction of such works as are required as a condition of the said Council's approval of any subdivision plan or plans and specifications in respect of the subject lands or any part thereof.

5. The said Trustees may apply so much of the real and personal property arising from any such sale exchange mortgage letting or other dealing as aforesaid in payment of the liability of the said Trustees arising under the said bond or other personal cov-

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-enant if and when required and in payment of all costs charges and expenses arising out of and in connection with the said subdivision, including the obtaining of this Ordinance and the construction of the works required by the said Council as aforesaid.

6. No purchaser, mortgagee, lessee, or other person, or the Registrar-General upon any sale, exchange, mortgage, lease or other dealing purporting to be made under the powers granted by or under this Ordinance, shall be concerned to see or inquire into the necessity or propriety thereof, or the mode of exercising the same, nor be affected by notice that the exercise of the power is unauthorised, irregular, or improper, nor be concerned to see to the application or disposition of any purchase, mortgage or other money or rent paid by him.

7. The said Trustees are hereby authorised to execute and do all necessary deeds leases 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 mortgage lease and assure the said lands or any part or parts thereof to a purchaser mortgagee lessee or other party acquiring the same or to any sub-purchaser or sub-lessee thereof by his direction.

8. The proceeds of all sales exchanges, mortgages, leases and other dealings including all profits and income therefrom shall be paid to the said Trustees and shall be applied by them in the first instance in or towards defraying the liabilities costs, charges and expenses as provided for in Section 5 hereof and subject thereto shall be applied for such purpose or purposes as the Synod shall direct.

SHORT TITLE

9. This Ordinance may be cited and known as the "Port Macquarie Glebe Ordinance 1948."

THE SCHEDULE REFERRED TO

ALL THAT piece or parcel of land containing Thirty nine acres two roods situated in the County and Parish of Macquarie at the junction of Koolumbung and Wright's Creeks COMMENCING at the

junction of the said creeks and bounded on the North by Wright's
Creek 18 chains on the East by a line bearing South 14 chains
80 links on the South by a line bearing West 27 chains to
Koolumbung Creek and the West by that Creek to the junction of
the said Creek known as the second portion of the Port Macquarie
Glebe Land.

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

Rapington
Chairman of Committees.

I hereby certify that the Ordinance was passed by the Bishop-in-Council
of the Diocese of Grafton on the 15th December, 1948.

A. E. Singleton
Registrar.

I assent to this Ordinance.

A. P. Howarth
Bishop's Commissary.