

THE MACLEAN LAND SALE ORDINANCE

1950

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 AND WHEREAS the said Trustees have contracted to sell the said lands to one Frederick Joffery Cowling for the price or sum of Two hundred and sixty pounds (£260.0.0) conditionally upon such sale being duly authorised in manner hereinafter appearing 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 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 ecclesiastical law 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 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 re-payment of any liability owing by the Trustees on the security of the said lands and in particular the abovesaid contract of sale with the said Frederick Joffery Cowling is hereby authorised and confirmed.
- 3. No purchaser of the said lands or any part or parts thereof under the powers here by 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 parts thereof to any purchasers of the same including the said Frederick Joffery Cowling 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 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 Trustees and by them applied in such manner and towards such other purpose as the Parochial Council of Maclean shall desire.

SHORT TITLE.

- 6. This Ordinance may be cited and known as the Maclean Land Sale Ordinance 1950.

*Printed copy
Solution*

SCHEDULE.

ALL THAT piece of parcel of land containing 2 roods 13 perches more or less being part of Portion 8 situate in Central Avenue Maclean in the Parish of Taloumbi County of Clarence having a frontage of 179 feet by a depth of 141 feet.