

BOURAVILLE LAND SALE ORDINANCE 1963

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 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 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