

CLIFTON LAND SALE ORDINANCE, 1959.

✓

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 Trust 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 Trust 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 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 Corporate Trustees inwhom 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 re-payment of any liability owing by the Corporate Trustees on the security of the said lands.

3. The said Corporate Trustees are further empowered to sell either in one or more parcels to effect a subdivision or subdivisions and generally to adopt any course for realising the said lands to the best advantage as they may in their discretion think fit.

4. No purchaser of the said lands or any part or parts thereof under the powers hereby conferred shall be bound or concerned to enquire whether such power shall have been duly and properly exercised in accordance with the preceding sections of this Ordinance or be affected by any notice to the contrary.

5. 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 said lands to any purchaser or purchasers of the same or to any sub-purchaser thereof by his or their direction.

6. The moneys arising from any sale or sales 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 in such manner and to such purposes as the Synod shall direct.

SHORT TITLE

7. This Ordinance may be cited and known as "Clifton Land Sale Ordinance, 1959."

SCHEDULE

106 1/2
ALL THOSE ~~96~~ acres or thereabouts situate near the Town of Port Macquarie in the Parish and County of Macquarie being the whole of the lands comprised in Deed of Conveyance made the 31st day of January, 1953 between Leslie Macquarie Bassingthwaighte and Leila Lindsay of the one part and The Corporate Trustees of the Diocese of Grafton of the other part Registered No. 741 Book 2241.

ALSO ALL THOSE 21 1/2 perches or thereabouts situate as aforesaid being Lot 11 on Plan registered in the Registrar General's Office as No. 1310 and being the whole of the lands comprised in deed of Conveyance made the 1st day of April, 1957 between Phillip Otto Stewart of the one part and The Corporate Trustees of the Diocese of Grafton of the other part Registered No. 462 Book 2403.

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

Ray Langley
Chairman of Committees.

I hereby certify that the Ordinance was passed by the Bishop-in-Council on the Sixteenth day of November, 1959.

D. E. Birmingham
Registrar.

I assent to this Ordinance.

Flower Grafton
Bishop.