

BRANXTON (ST JOHN'S LAND STRIP) LAND SALE ORDINANCE 2012

LONG TITLE

AN ORDINANCE to authorise the sale of certain lands at **BRANXTON** in the Parish of **BRANXTON** County of **NORTHUMBERLAND** being more particularly described in the Schedule hereto and to provide for the disposition of the proceeds thereof.

PREAMBLE

- A. The Trustees of Church Property for the Diocese of Newcastle (the "Trustees") is the registered proprietor of the land contained in folio identifier 11/1142716 and known as St John's Church and Hall, Branxton (the "Land").
- B. The Land is church trust property and forms part of the property held on trust for the Parish of Branxton and Greta and Lochinvar (the "Parish").
- C. By reason of an offer to purchase a land strip in order to straighten a boundary, that the Land be sold and that the proceeds be applied in the manner set out in this Ordinance.
- D. The Synod has in the Administration of Parishes Ordinance 2010 conferred on the Diocesan Council the authority to exercise the powers contained in the Anglican Church of Australia Trust Property Act 1917.

The Diocesan Council of the Diocese of Newcastle hereby ordains as follows:

DECLARATION OF OPINION

- (1) By reason of circumstances of an offer to purchase a land strip described in the Schedule hereto to authorise the sale of such property.

AUTHORITY TO SELL

- (2) Authority is hereby given for the said piece of land described in the Schedule be sold by private contract and for such sum or sums and upon such terms and conditions as may be determined by the said Diocesan Council but freed from the said trusts which trusts shall by force of this ordinance cease and determine.

HOW SALE TO BE CARRIED OUT

- (3) The Trustees of Church Property for the Diocese of Newcastle 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 but should the said land be not sold within a period of twelve months of the passing of this Ordinance.

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DISPOSITION OF PROCEEDS

- (4) The money arising from any such sale or sales shall be paid to the said Trustees shall be held or applied by the said Trustees and added to a new Temporary Trust Account for the purpose of future development of parish facilities

SHORT TITLE

This ordinance may be cited for all purposes as "***The Branxton (St John's Land Strip) Land Sale Ordinance 2012 .***"

SCHEDULE

A piece or parcel of land being a portion of that land known as 44 Cessnock Rd, Branxton being part of Lot 11 Deposited Plan 1142716 having an approximate area of 182 sq metres and being part of the land in Certificate of Title Identifier 11/1142716.