

NO. 10 1977

AN ORDINANCE to vary the trusts of certain land at Plumpton to authorise the sale of such land and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the whole of the land comprised in Certificate of Title Volume 8495 Folio 160 more particularly described in the Schedule hereto AND WHEREAS the said lands are church trust property held by the said Corporate Trustee upon trust to permit the same to be used for the benefit of the Parish of St. Alban's Rooty Hill AND WHEREAS no trusts have been declared in writing concerning the said land AND WHEREAS the said land is required by the Prospect County Council (hereinafter called "the Council") for the purpose of erecting thereon an electrical zoned substation AND WHEREAS the Council is empowered by statute to resume the said lands AND WHEREAS the Council does not desire to exercise its powers of resumption AND WHEREAS the Council is now desirous of purchasing the said lands AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is expedient that the said lands be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and the place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon the land described in the Schedule hereto is held it is expedient that the trusts be varied and that the land be sold as hereinafter set out.

2. That the said lands be sold for the sum of FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) to the Council and the proceeds of such sale hereby authorised shall be applied by the Corporate Trustee as follows:-

(a) Firstly, in the payment of the costs of and incidental to the sale not met by the Council, if any.

(b) Secondly, as to the sum of ONE THOUSAND AND EIGHTY FOUR DOLLARS (\$1,084) to the Churchwardens of St. Alban's Church Rooty Hill to be applied by them in payment to the proper officer of the organisation known as St. Alban's Womens Guild of the amount advanced by the Guild to discharge indebtedness to the Sydney Church

of England Finance and Loans Board incurred in discharging a loan secured by the land more particularly described in the Schedule hereto.

(c) Thirdly, as may be determined from time to time by resolution of the Standing Committee at the request of a majority of the members of the parish council by formal resolution and pending such application, the sum shall be invested by the Corporate Trustee and the income derived therefrom shall be capitalised.

3. This ordinance may be cited as the "St. Alban's Rooty Hill Ordinance 1977".

SCHEDULE

ALL THAT piece or parcel of land situate at Plumpton in the Municipality of Blacktown Parish of Rooty Hill County of Cumberland being part of Lot 9 in Deposited Plan 3115 and the whole of the land in Lot 1 of Section 2 in Deposited Plan 5172 and comprising the whole of the land in Certificate of Title Volume 8495 Folio 160.

I CERTIFY that the Ordinance as printed in in accordance with the Ordinance as reported.

Norman Jenkyn
Acting Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 2nd day of May 1977.

W.G.S. Gotley
Secretary.

I ASSENT to this Ordinance.

M.L. Loane
Archbishop of Sydney.
2/5/1977