

ST. MARK'S GRANVILLE VARIATION OF TRUST ORDINANCE 1982

NO. 7 of 1982

AN ORDINANCE to vary the trusts of certain land and buildings at Clyde in the City of Parramatta and to provide for the application of the proceeds of a claim arising out of the resumption thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") was the registered proprietor of the whole of the land in Certificate of Title Volume 858 Folio 81 more particularly described in the Schedule hereto (hereinafter called "the Property") AND WHEREAS the property was church trust property within the meaning of the Church of England Trust Property Act 1917 as amended held upon trust for the purposes of a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of Granville AND WHEREAS by Notice of Resumption published in the Government Gazette of the 20th June, 1980 No. 86 the said property was resumed and vested in the Commissioner for Main Roads as the constructing authority under the Public Works Act 1912 for the purposes of the Main Roads Act 1924 AND WHEREAS a claim for compensation has been made by the Corporate Trustee pursuant to the provisions of the Public Works Act 1912 AND WHEREAS <sup>after</sup> ~~by~~ negotiation between the Corporate Trustee and the Commissioner for Main Roads the amount of compensation ~~to be~~ paid to the Corporate Trustee has been determined at the sum of fortyfive thousand dollars (\$45,000.00) AND WHEREAS by reason of the said circumstances it is expedient that the said compensation moneys be applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. By reasons of circumstances which have arisen subsequent to the creation of the trusts upon which the property was held it is inexpedient to carry out and observe the same to the extent to which the same are hereby ~~and by the~~ <sup>And the proceeds of the resumption thereof are</sup> ~~Notice of Resumption~~ varied.

2. The Corporate Trustee is hereby empowered ~~to receive from the Department of Public Works the amount of compensation moneys to be paid pursuant to the Public Works Act 1912 and~~ to apply the proceeds of such compensation as follows:-

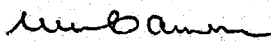
- 30 (a) firstly, in the payment of the costs of and incidental to this ordinance;
- (b) secondly, the balance of the proceeds shall at the request of the majority of the Parish Council of the said Parish and with the approval by resolution of the Standing Committee be paid to the Churchwardens of St. Mark's Granville provided however pending such
- 35 application the said amount shall be invested by the Corporate Trustee and the income arising therefrom shall be applied as follows:-
- (i) ten percent (10%) thereof shall be capitalised, and
- (ii) the balance shall be paid to the said Churchwardens and applied by them for such parochial purposes as the said Parish Council of the said Parish shall by resolution determine.
- 40

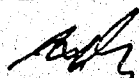
3. This Ordinance may be cited as "St. Mark's Granville Variation of Trusts Ordinance 1982".

#### SCHEDULE


ALL THAT piece or parcel of land situate in the City of Parramatta, Parish of St. John and County of Cumberland being part of Lots 7 and 8 of Section 15 in Deposited Plan No. 1250 and being the whole of the land in Certificate of Title Volume 858 Folio 81.

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

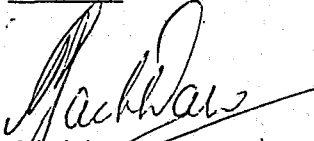
  
 Deputy Chairman of Committees



I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the ~~2nd~~ day of March 1982.

  
Secretary

I ASSENT to this Ordinance.

  
Administrator  
13/1982