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*St. Mary's Guildford Sale Vesting and Variation of  
Trust Ordinance, 1961.*

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No. 21, 1961.

AN ORDINANCE to authorise the sale of certain lands situate near Guildford and to provide for the application of the proceeds thereof and to vest certain land at Guildford in Church of England Property Trust Diocese of Sydney and to declare and vary certain trusts.

WHEREAS by Certificate of Title Volume 7955 Folio 91 Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the registered proprietor of an estate in fee simple of the land more particularly described in the First Schedule hereto.

AND WHEREAS the land described in the First Schedule is Church Trust Property held for the sole benefit of the Parish of St. Mary's Guildford but no express trusts in writing have been declared concerning the same AND WHEREAS there was erected on the said land a building used as the Rectory of the said Parish AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same and it is expedient to sell the said land and to provide for the application of the proceeds of sale thereof AND WHEREAS by Certificate of Title Volume 1464 Folio 87 Alfred Ernest Jones Ross, Crosbie Blake Brownrigg, William Stanley Forbes, Jacob Knous and John Peckham are the registered proprietors of an estate in fee simple as joint tenants in the land more particularly described in the Second Schedule hereto AND WHEREAS by declaration of trust dated the thirtieth day of May One thousand nine hundred and fourteen the said Alfred Ernest Jones Ross, Crosbie Blake Brownrigg, William Stanley Forbes, Jacob Knous and John Peckham declared that they held the land described in the Second Schedule upon trust for Christ Church Guildford in the Ecclesiastical District of Guildford to admit of the erection of a building to be called Christ Church Parish Hall to be used for a school hall Sunday School and for extra services and for any other purpose in connection with Christ Church Guildford and the revenues thereof AND WHEREAS the registered proprietors are either dead or their whereabouts cannot be ascertained and it is expedient to vest the said land in the Corporate Trustee AND WHEREAS the boundaries of the former Ecclesiastical District of Guildford have been altered and the land described in the Second Schedule is now within the Parish of St.

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Mary's Guildford AND WHEREAS by reason of circumstances which arisen subsequent to the creation of the trusts upon which the subject land in the Second Schedule is held it is inexpedient to carry out and observe the same in their entirety and it is expedient to vary and re-declare the said trusts as hereinafter set out NOW, the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows :-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the First Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

2. The Corporate Trustee is hereby authorised to sell the land described in the First Schedule by public auction or private contract and either in one lot or several lots as such price or prices and upon such terms and conditions as the said Corporate Trustee may think expedient free from the trusts aforesaid.

3. The moneys arising from the sale of the land described in the First Schedule herein shall be applied firstly in payment of the costs charges and expenses of and incidental to this Ordinance and of the sale of the said land and all outgoing in respect thereof and subject thereto the balance shall be paid to the Churchwardens for the time being of the Parish of St. Mary's Guildford to be applied in or towards the erection of a Rectory at St. Mary's Guildford on part of the present Church site.

4. That the land described in the Second Schedule hereto be and the same is hereby vested in the Corporate Trustee.

5. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule hereto is held it is inexpedient to carry out and observe such trusts in their entirety and it is expedient that the same be varied and re-declared and it is hereby declared that the Corporate Trustee shall henceforth hold the land described in the Second Schedule hereto upon trust to permit the same to be used for 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 St. Mary's Guildford.

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6. This Ordinance shall be styled and cited as "St. Mary's Guildford, Sale Vesting and Variation of Trust Ordinance 1961."

**THE FIRST SCHEDULE.**

All that parcel of land in the City of Parramatta Parish of St. John County of Cumberland being lot 18 of Section 3 in Deposited Plan No. 683 and being the whole of the land comprised in Certificate of Title Volume 7955 Folio 91 having a frontage to Mountford Avenue of about 91' by a depth of about 196' and being the property known as 64 Mountford Avenue, Guildford.

**THE SECOND SCHEDULE.**

All that parcel of land situated near Guildford in the Parish of St. John and County of Cumberland containing 31½ perches being Lot 1 of Section 1 in Deposited Plan No. 4047, having a frontage to Guildford Road of 45' by a depth of 192' to High Street now known as Bolton Street and being the whole of the land comprised in Certificate of Title Volume 1464 Folio 87.

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

**ATHOL R. RICHARDSON,**  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of June, 1961.

**W. L. J. HUTCHISON**  
Secretary.

I assent to this Ordinance.

**HUGH SYDNEY,**  
Archbishop of Sydney.

26 / 6 / 61.

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