
*St. Paul's Emu Plains with Castlereagh, Llandilo and
Cranebrook Glebe Sale and Declaration of Trust
Ordinance 1965*

No. 26, 1965.

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

WHEREAS by Crown Grant registered at Page 23 Book 78 in the register of Grants to the United Church of England and Ireland made by the Governor, Sir George Gipps, Knight on the Fourth day of November One thousand eight hundred and forty two ALL THAT the piece or parcel of land described in the Schedule hereto was granted to John Single, Alexander Fraser, John Hosking and John Smith, their heirs and assigns forever UPON TRUST for the appropriation thereof as the Glebe annexed to the Church of the United Church of England and Ireland as by law established to be erected at Castlereagh in the Parish of Emu Plains cum Castlereagh AND WHEREAS by Deed Poll of Consent dated the twenty-fifth day of March One thousand eight hundred and eighty-four and Registered No. 13 Book 4 the said land became vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") their successors and assigns subject as mentioned in the said indenture AND WHEREAS the Corporate Trustee has held the said land for the benefit of the Parish of St. Paul Emu Plains with Castlereagh, Llandilo and Cranebrook but no trusts in writing have been declared concerning the same and it is expedient to declare the trusts thereof AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the schedule is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold and that trusts be declared in respect of the proceeds of sale of the said land NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY RULES ORDAINS AND DECLARES as follows:-

1. The land described in the Schedule hereto shall be held by the Corporate Trustee UPON TRUST as a Glebe annexed to the Church of England in Australia in the Parish of St. Paul, Emu Plains with Castlereagh Llandilo and Cranebrook.

2. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such price at such

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time and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts to which it is now subject.

3. The proceeds of sale of the said land after payment thereof of all costs charges and expenses of and incidental to this Ordinance and the said sale shall be held by the Corporate Trustee UPON TRUST to use and apply the income derived therefrom for and on account of the Stipend of the Rector or any Curate, Assistant Minister Catechist or Deaconess licensed within the said Parish or for any one or more of them to the exclusion of any other or others of them.

4. The Corporate Trustee in its absolute discretion may from time to time pay to the Churchwardens of the Parish Council of St. Paul, Emu Plains with Castlereagh, Llandilo and Cranebrook the whole or any part of the capital of the said proceeds of sale to be applied by the said Churchwardens in erecting and carrying out repairs renovations and replacements of Churches, Church Halls and Parsonages and ancillary premises within the said Parish PROVIDED HOWEVER that the said Churchwardens shall repay to the Corporate Trustee out of the Parochial Church funds of which they have the charge and administration in accordance with the Sydney Church Ordinance 1912 as amended the amount so applied by annual instalments of £50 (fifty pounds) PROVIDED THAT Standing Committee may from time to time vary the amount of the said instalments and the said Churchwardens shall within four weeks of the holding of the annual Vestry Meeting of the said Parish Council during such time as any money is due and outstanding to the Corporate Trustee in respect of any funds advanced in accordance with this provision cause an account to be forwarded to the Diocesan Secretary giving details of the amount originally received from the Corporate Trustee the amount paid off and the balance owing.

5. Subject as aforesaid the proceeds of the sale together with all sums repaid from time to time in respect of any advances made by the Corporate Trustee in accordance with the provisions hereof shall be invested by the Corporate Trustee in accordance with the investment of Church Trust Property Ordinance 1944 or any Ordinance or provision amending the same and the income from any

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such investment shall be paid to the said Churchwardens to be applied by them in accordance with the trusts hereinbefore provided.

6. This Ordinance shall be called "St. Paul's, Emu Plains with Castlereagh Llandilo and Cranebrook Glebe Sale and Declaration of Trust Ordinance 1965."

THE SCHEDULE

All that piece or parcel of land containing by admeasurement forty acres be the same more or less, situated in the County of Cumberland and Parish of Castlereagh COMMENCING at the North West corner of Williams' sixty acres grant, bounded on the South by a line East fourteen chains, on the East by a line North thirty one chains fifty links, on the North by a line west seven chains, on the North West by a line bearing South forty three degrees West ten chains and on the West by a line South twenty four chains eighty links.

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

ATHOL 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 30th day of August 1965.

W. L. J. HUTCHISON, Secretary.

I assent to this Ordinance.

MARCUS L. LOANE, Bishop,
Commissary.

30/8/1965.