
*St. Thomas' Mulgoa Declaration of Trusts, Land Sale, and
Variation of Trusts Ordinance 1968*

No. 11, 1968.

AN ORDINANCE to declare the trusts to authorise the sale of certain lands at Mulgoa and Warragamba in the Parish of St. Thomas Mulgoa and to provide for the application of the proceeds of such sale.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor in fee simple of the lands respectively comprised in Certificate of Title Volume 9214 Folio 36 more particularly described in the first part of the Schedule hereto and in Certificate of Title Volume 8187 Folio 146 more particularly described in the second part of the Schedule hereto (both of which parcels of land are hereinafter referred to as "the said lands") AND WHEREAS the said lands are Church Trust property and are held for the sole benefit of the Parish of St. Thomas Mulgoa but no trusts in writing have been declared concerning the same 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 inexpedient to carry out and observe the same to the extent to which the same are hereby varied and 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 place of such Synod HEREBY ORDAINS DECLARES AND DIRECTS as follows:—

1. The said lands shall be held by the Corporate Trustee upon trust to permit the same to be used for a Church, Parsonage or Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia in the Parish of St. Thomas Mulgoa.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold.

3. The Corporate Trustee is hereby empowered to sell the said lands either by public auction or private contract at such time or times and at such price or prices and upon such terms and subject to such conditions as the Corporate Trustee may determine freed from any trusts whatsoever.

4. The proceeds arising from the sale or sales of the said lands after payment thereof of all outgoings to which the said lands are

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subject and the costs charges and expenses of an incidental to this ordinance and any sale and any transfer in pursuance thereof shall be paid to the Churchwardens for the time being of St. Thomas' Church Mulgoa to be applied by the said Churchwardens in erecting a suitable building to be used as a Parsonage, in connection with the Church of England in Australia in the Parish of St. Thomas Mulgoa.

5. This Ordinance may be cited as "St. Thomas' Mulgoa Declaration of Trusts Land Sale and Variation of Trusts Ordinance 1968".

THE SCHEDULE

- FIRST PART

All that piece or parcel of land situate at Warragamba in the Shire of Wollondilly Parish of Warragamba and County of Camden having a frontage of 68' 10 $\frac{1}{2}$ " to Third Street by depths of 88' and 79' 4 $\frac{1}{2}$ " with a rear dimension of 65' 5" containing 19 $\frac{1}{2}$ perches being Lot 269 in D.P.210651 and the whole of the land in Certificate of Title Volume 9214 Folio 36.

SECOND PART

All that piece or parcel of land situate at Mulgoa in the City of Penrith Parish of Mulgoa County of Cumberland being Lot 7 in D.P. 28506 and being part of Portion 10 granted to William Cox senior on 8th October, 1816 and the whole of the land described in Certificate of Title Volume 8187 Folio 146.

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

H. G. S. BEGBIE,
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 27th day of May, 1968.

F. A. JOHNSON,
Acting Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

27/5/68.