

CASTLE HILL VARIATION OF TRUSTS AND  
LAND SALE ORDINANCE 1983

NO. 50 . 1983

AN ORDINANCE to vary the trusts of certain lands at Castle Hill in the Shire of Baulkham Hills, to authorise the sale of those lands and to provide for the application of the proceeds thereof.

WHEREAS

A. The land described in the First Schedule hereto is vested in Anglican Church Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") and is held  
5 upon trust to be used for a church parsonage or parish hall, partly for one and partly for another or others of such purposes in connection with the Anglican Church of Australia and the Parish of Castle Hill (hereinafter called the "Parish").

10 B. The land described in the Second Schedule hereto is vested in the Corporate Trustee and held upon trust to permit the same to be used for a church parsonage.

15 C. The land described in the Third Schedule hereto was vested in the licenced Minister for the time being of St. Paul's Church pursuant to a conveyance between Richard Greenup and Andrew Servis Macdougall, Samuel Moore and Alfred Sotheren Greenup and the licenced Minister for the time being of St. Paul's Church dated 30th July 1862  
20 Registered No. 806 Book 81 on trust as the site of a school for the education of youth according to the principles of the United Church of England and Ireland and also for the site of a residence for the master of the said school.

D. The land described in the Third Schedule hereto is in the process of being vested in the Corporate Trustee.

25 E. By reason of circumstances that have arisen subsequent to the creation of the said trusts, it is inexpedient to carry out and observe the same to the extent that they are

D.

hereby varied and it expedient to sell the lands described in the First, Second and Third Schedules.

30 NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY  
DECLARES RULES ORDAINS AND DIRECTS as follows:-

35 1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the First, Second and Third Schedules hereto are held it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient that the said lands be sold.

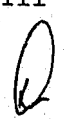
40 2. The Corporate Trustee is hereby authorised to sell the lands in the First, Second and Third Schedules within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement in one or more lots and for such price or prices and on and subject to such  
45 terms and conditions as, to the Corporate Trustee, may seem appropriate, freed from the trusts upon which the lands are now held.

3. The proceeds arising from the sale or sales shall be applied by the Corporate Trustee as follows.

50 (a) First, in payment of the costs of and incidental to this Ordinance and of any subdivision and sale or sales of properties.

(b) Secondly, as to the balance of the proceeds from the sale of the land in the First and Third  
55 Schedules in completion of the improvements (including furnishings) being built on the land in the Fourth Schedule of the Castle Hill Ordinance 1982.

(c) Thirdly, as to the balance of the proceeds from the sale of the land in the Second Schedule in purchasing land in the Parish of St. Paul Castle Hill for  
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use as a rectory, or for building a rectory on  
other land held upon trust for the said Parish.

4. This Ordinance may be cited as the "Castle Hill  
Variation of Trusts and Land Sale Ordinance 1983".

FIRST SCHEDULE

ALL THAT piece or parcel of land at Castle Hill in the Shire  
of Baulkham Hills Parish of Field of Mars and County of  
Cumberland being Lots 1 and 2 in Deposited Plan 13414 and  
being the whole of the land comprised in Certificate of  
Title Volume 4528 Folio 240.

SECOND SCHEDULE

ALL THAT piece or parcel of land at Castle Hill Parish of  
Castle Hill and County of Cumberland being Lot 6 in  
Deposited Plan 400444 and being the whole of the land  
comprised in Certificate of Title Volume 7381 Folio 58.

THIRD SCHEDULE

ALL THAT piece or parcel of land having a frontage to the  
Great North Road leading from Sydney to Wisemans Ferry of  
five rods, by a depth of eight rods and bounded on the west  
by the said road; on the north by Crane's land; on the east  
by an allotment conveyed to the Bishop of Sydney by the said  
Richard Greenup for a burial ground, and on the south by a  
reserved road one rod wide leading from the main road to the  
said burial ground as the same is more particularly shewn  
and described in the plan or sketch thereunto annexed in  
indenture dated 30 July 1862 Registered No. 806 Book 81.

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



Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing  
Committee of the Synod of the Diocese of Sydney on the 12th  
day of December 1983.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney  
12/12/1983