
*St. James' Pitt Town (Grassmere Property) Variation of
Trusts Ordinance 1971*

No. 2, 1971

AN ORDINANCE to vary the trusts in relation to certain land situate at Longneck Lagoon near Pitt Town and to provide for the application of the proceeds of any sale of the said land.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor of the land comprised in Land Grant Volume 2347 Folio 125 more particularly described in the Schedule hereto AND WHEREAS the said land is held upon trust for sale and as to the net proceeds to be derived from such sale UPON TRUST to devote the same towards the cost of the erection of a stone Church for the use of the Church of England at Cattai near Pitt Town and until such sale takes place to pay and apply the income derived from the said land in and towards the stipend of the Minister for the time being in charge of the Church of England at Pitt Town and Cattai and when the said land is sold and until the said Church is erected the interest and income derived from the proceeds of the said sale to be paid towards the stipend of the Minister for the time being in charge of the Church of England at Pitt Town and Cattai aforesaid AND WHEREAS such land is church trust property held upon the trusts as aforesaid AND WHEREAS by reason of the situation of the said land and 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 WHEREAS it is now expedient that the proceeds of any sale of the said land shall be applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:—

1. 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 said trusts be varied as hereinafter set forth.

2. The Corporate Trustee is hereby empowered to sell the land described in the Schedule by public or private auction or private contract at such time or times and at such price and upon such terms and conditions as the Corporate Trustee determines freed from the trusts upon which it is now held.

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3. The proceeds arising from the sale or sales of the said land after paying thereout the costs of and incidental to this Ordinance and of the sale or sales and transfer in pursuance thereof and all outgoings to which the said land may be subject shall be paid to the Churchwardens of St. James' Church Pitt Town and applied towards the costs of erection of a new Parish Hall within the said Parish.

4. This Ordinance may be cited as "St. James' Pitt Town (Grassmere Property) Variation of Trusts Ordinance 1971".

SCHEDULE

ALL THAT piece of parcel of land containing by admeasurement thirty-three acres two roods thirty perches be the same more or less situated in the County of Cumberland and Parish of Pitt Town near Longneck Lagoon COMMENCING on the South-Eastern side of the road two chains wide to Wiseman's Ferry at a point bearing South fifty-three degrees sixteen minutes East and distant two chains eight links and seven-tenths of a link from the South-Western corner of Portion 4 of forty acres being also the South-Eastern corner of Portion 5 of thirty acres and bounded thence on part of the North-West by that road dividing it from Portion 4 bearing North fifty-three degrees twenty minutes East ten chains four links and one half link on the North-East by a line bearing South thirty-six degrees forty minutes East six chains fifty links on the South-East by a line bearing South fifty-three degrees twenty minutes West ten chains again on the North-East by a line bearing South thirty-six degrees forty minutes East fifteen chains again on the South-East by a line bearing South fifty-three degrees twenty minutes West fourteen chains on the South-West by a line bearing North sixty-nine degrees fifty minutes West ten chains thirty-five links and on the remainder of the North-West by the aforesaid road dividing it from Portion 50 of one hundred and thirty acres bearing North twenty degrees nine minutes East twenty-three chains forty-four links and one half of a link to the point of commencement and being the whole of the land in Land Grant Volume 2347 Folio 125.

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

ATHOL RICHARDSON,
Chairman of Committees.

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I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 1st day of March, 1971.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

1/3/1971.