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*St. Thomas Church Rozelle Resumption Money  
Application Ordinance 1932.*

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No. 6. 1932.

AN ORDINANCE to declare the trusts of the compensation money paid in respect of the resumption of certain land held for the benefit of the Parish of St. Thomas Rozelle and for other purposes.

WHEREAS the land comprised and described in Certificate of Title Registered Volume 165 Folio 86 was held upon trust for the purpose of Public Worship in connection with the Church of England and subject to the Regulations (so far as they might be applicable) contained in the Sydney Church Ordinance or any other Ordinance of the Synod of the Diocese of Sydney altering or modifying the same.

AND WHEREAS in or about the year One thousand nine hundred and eleven by Notification of Resumption No. A513 portion of the said land was resumed for Public purposes namely the portion tinted yellow on the Certificate of Title Registered Volume 4533 Folio 247 which was issued in respect of the land comprised and described in Certificate of Title Registered Volume 165 Folio 86 exclusive of the land so resumed as aforesaid and of the land sold to the Main Roads Board as next hereinafter recited.

AND WHEREAS further portion of the first mentioned land was sold to the Main Roads Board and by "The St. Thomas Church Rozelle Sale and Mortgage Ordinance 1931" hereinafter called the said Ordinance it was determined how the proceeds of such sale should be dealt with.

AND WHEREAS a sum of Three hundred and twenty-nine pounds six shillings and eleven pence (hereinafter called the said resumption money) was received by the Church of England Property Trust Diocese of Sydney in respect of the said resumption and was duly invested and the income arising therefrom has been paid to the Churchwardens of the said Church of St. Thomas Rozelle and been applied by them for general parochial Church purposes in accordance with the provisions of the Sydney Church Ordinance for the time being in force.

AND WHEREAS by reason of a circumstance namely the said resumption which occurred subsequent to the creation of the

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trust to which the said resumed land was for the time being subject it became impossible to carry out and observe the trusts of such resumed land.

AND WHEREAS it is expedient that trusts should be declared in respect of the said resumption money and that the past application of the income therefrom should be ratified and confirmed.

NOW THEREFORE the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod Ordains and Declares as follows:—

1. By reason of circumstances subsequent to the creation of the hereinbefore mentioned trust it became and is impossible to carry out or observe such trust in respect of the land so resumed as aforesaid.

2. The said resumption money shall henceforth be held upon trust to pay thereout the costs charges and expenses of and incidental to this Ordinance and to pay the balance thereof to the Rector and Churchwardens for the time being of the said Church of St. Thomas whose receipt shall be a sufficient discharge therefor and who shall apply the same in and towards the costs charges and expenses of building the new School Hall mentioned in Clause Two of the said Ordinance and who shall in like manner apply the proceeds of the sale of the old School building mentioned in such Ordinance.

3. The past application of the income from the said resumption money is hereby ratified and confirmed and any income arising from such resumption money until the same is paid to the Rector and Churchwardens in manner aforesaid shall be applied as heretofore.

4. Clause three of the said Ordinance is hereby amended as follows namely by omitting the words and figures one thousand pounds (£1000) nine hundred pounds (£900) and one hundred pounds (£100) and substituting therefor respectively the words and figures five hundred pounds (£500) four hundred pounds (£400) and fifty pounds (£50).

5. This Ordinance may be cited as "The St. Thomas Church Rozelle Resumption Money Application Ordinance 1932."

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

A. J. GOULD,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney, this twenty-fifth day of July, 1932.

C. R. WALSH,

Secretary.

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

20th July, 1932.