
*Girraween with Toongabbie Land Sale and
Declaration of Trust Ordinance 1965*

No. 7, 1965.

AN ORDINANCE to authorise the sale of certain land at Toongabbie in the Municipality of Blacktown, to provide for the application of the proceeds thereof and to declare the trusts of certain other land at Toongabbie aforesaid.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 6683 Folio 144 more particularly described in the First Schedule hereto AND WHEREAS the Church of Holy Trinity Toongabbie West in the Provisional District of Girraween with Toongabbie is erected on the said land AND WHEREAS the said land was acquired with moneys raised by the Church Committee of the said Church and with certain moneys provided by the Organisation then known as the Sydney Church of England Endowment Fund (now amalgamated with the Sydney Church of England Finance and Loans Board) and the said land is Church Trust Property held for the sole benefit of the said Church but no trusts in writing have been declared concerning the same AND WHEREAS a new site for the said Church has been acquired in Lamonerie Street Toongabbie being the land comprised in Certificate of Title Volume 3290 Folio 142 more particularly described in the Second Schedule hereto and it is proposed to remove the said Church thereto AND WHEREAS it is expedient that the trusts of the said new site be now declared AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the First Schedule is held it is inexpedient to carry out and observe the same NOW the Standing Committee of the Synod of the Diocese of Sydney HEREBY DECLARES RULES AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the First Schedule is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold but excluding the building now erected thereon.

2. The Corporate Trustee is hereby empowered to sell the said land excluding the building now erected thereon by public auction or private contract at such time and at such price as the Corporate Trustee may determine freed from the trusts upon which it is held.

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3. The proceeds arising from the said sale shall after paying thereout all outgoings to which the land may be subject, the costs of and incidental to this Ordinance and any sale and transfer in pursuance thereof and of any moneys still owing to the Sydney Church of England Finance and Loans Board in respect of the amount advanced for the acquisition of the said land be paid to the Churchwardens for the time being of Holy Trinity Church Toongabbie West who shall apply the same towards the costs and expenses of removing such church from the said land to the land described in the Second Schedule hereto and its re-erection thereon and any structural alteration additions and repairs thereto and any balance in repayment of money advanced by the said Sydney Church of England Finance and Loans Board for the purchase of the said new site.

4. The land described in the second Schedule hereto 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 at Toongabbie in the Provisional District of Girraween with Toongabbie, or any Parish or Provisional Parish of which it may subsequently form part.

5. This Ordinance may be cited as "Girraween with Toongabbie Land Sale and Declaration of Trust Ordinance 1965."

FIRST SCHEDULE

All that piece or parcel of land situated at Toongabbie in the Municipality of Blacktown Parish of Prospect County of Cumberland having a frontage of 105' 4 $\frac{1}{4}$ " to Cecilia Street being Lot C in plan annexed to Transfer F.354518 and the whole of the land in Certificate of Title Volume 6683 Folio 144.

SECOND SCHEDULE

All that piece or parcel of land situated as aforesaid having a frontage of 66' to Lamonerie Street by depth of 213' 0 $\frac{3}{4}$ " on the north and 213' 2 $\frac{3}{4}$ " on the south being Lot 8 D.P. 8909 and the whole of the land comprised in Certificate of Title Volume 3290 Folio 142.

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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 3rd day of May 1965.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

3/5/1965.

HUGH SYDNEY,
Archbishop of Sydney.
