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*St. John's Parramatta Sale of Grand Avenue, Westmead  
Property Ordinance, 1961*

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No. 22, -1961.

AN ORDINANCE to authorise the sale of certain land situated at Westmead and to provide for the application of the proceeds thereof.

WHEREAS by her Will dated the 9th day of September 1903 Emily Harriett Vallack, late of Parramatta, Spinster, appointed Walter Sigismund Brown of Parramatta, Physician and Surgeon, Mary Jane New (or in case she should predecease the Testatrix then her sister Emily Esther New) of Parramatta, Spinster and Frank Osborne of Sydney, Solicitor, Executors and Trustees thereof AND WHEREAS by her said Will she gave (inter alia) to the Vicar and Church and Wardens for the time being of St. John's Parish Church, Parramatta for general purposes in connection with the said Church the sum of Three hundred pounds (£300) AND WHEREAS by a Third Codicil to her said Will dated the 16th day of October, 1913 (a First and Second Codicil to her said Will not being material hereto) she directed (inter alia) her Trustees to sell all her Gas shares, Bank shares and Mining shares and to divide the net proceeds thereof together with any moneys at her credit on deposit or current account with any Banks at the time of her death equally between The Parramatta District Hospital and the said St. John's Parish Church, Parramatta and Minnie Catherine Butcher, the said legatees to get such proceeds in addition to any other benefits to which they may have been entitled under her said Will and said First and Second Codicils thereto AND WHEREAS the said Frank Osborne died on the 15th day of October, 1916 AND WHEREAS the Testatrix died on the 21st day of August, 1919 without having altered or revoked her said Will and said three Codicils thereto AND WHEREAS on the 13th day of November, 1919 Probate No. 97666 of the said Will and Codicils thereto was granted to Walter Sigismund Brown one of the Executors named therein (Mary Jane New, the other Executor named therein having renounced Probate) AND WHEREAS pursuant to the terms of the said Will and Codicils thereto the Rector and Church Wardens of the Parish of St. John, out of moneys bequeathed by the said deceased, purchased the property comprised in Certificate of Title Volume 3982 Folio 53 more particularly described in the Schedule hereto of which Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the registered Proprietor AND WHEREAS by reason of circumstances which have arisen since the acquisition of the said property it is expedient that the said property be now sold and that the net proceeds of such

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sale be held by the Rector and Church Wardens to be applied in accordance with the provisions of the said Will and Codicils thereto of the said Emily Harriett Vallack deceased NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows.-

1. By reason of circumstances which have arisen subsequent to the purchase of the said property described in the Schedule hereto it is inexpedient to retain the said property and it is expedient that the said land be sold.

2. The land described in the Schedule hereto may be sold by the Corporate Trustee together or in parcels at such time or times at such price or prices and subject to such stipulations, terms and conditions as the Corporate Trustee may deem expedient.

3. The proceeds of the said sale or sales shall, after paying thereout all outgoings to which the said land is subject and the costs of and incidental to this Ordinance and of the sale or sales in pursuance thereof and the transfer or transfers consequent upon the same, be paid to the said Rector and Church Wardens to be applied by them for general purposes of the Parish pursuant to the provisions of the Will and Codicils thereto of the said Emily Harriett Vallack deceased.

4. This Ordinance may be cited as "St. John's Parramatta Sale of Grand Avenue, Westmead, Property Ordinance 1961."

**SCHEDULE.**

All that piece or parcel of land situate at Westmead in the Municipality of Holroyd, Parish of St. John, County of Cumberland containing 25½ perches or thereabouts having a frontage of 50 feet to Grand Avenue, Westmead, with a depth on either side of about 140 feet and a rear line of about 50 feet being Lot 95 in Deposited Plan No. 13731 and being the whole of the land comprised in Certificate of Title Volume 3982 Folio 53.

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

ATHOL R. 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 28th day of June, 1961.

W. L. J. HUTCHISON  
Secretary.

I assent to this Ordinance.

26 / 6 / 61.

HUGH SYDNEY.  
Archbishop of Sydney.