
The St. John's Parramatta Endowment Fund Ordinance 1954.

No. 29, 1954.

AN ORDINANCE to vary the Trusts of St. John's Parramatta Endowment Fund and to authorise the acquisition of certain leasehold property and for other purposes connected therewith.

WHEREAS by Declaration of Trust dated the Fifteenth day of May One thousand eight hundred and ninety-four registered No. 23 Book 538 Walter Brown Thomas Dixon Henry Benjamin Hughes Stephen John Pearson and Francis Thomas Watkins declared that they would hold certain moneys and property known as the "St. John's Parramatta Endowment Fund" and therein and herein referred to as "the said Fund" upon trust for investment as therein provided including the purchase of freehold hereditaments and upon trust to pay the net interest or other income arising from the said Fund to the Churchwardens of the Church of St. John Parramatta as a contribution towards the stipend of the Incumbent for the time being of the said Church AND WHEREAS the said Declaration of Trust was varied by the St. John's Parramatta Endowment Ordinance 1930 (hereinafter called the Principal Ordinance) and the St. John's Parramatta Endowment Fund Ordinance 1935 and 1952 AND WHEREAS by the Principal Ordinance the Trustees were authorised inter alia under Clause 8 to raise money on the security of certain investments authorised therein AND WHEREAS the sum of Three thousand one hundred and seventy eight pounds two shillings and sixpence (£3,178 2s. 6d.) has been invested in Commonwealth Bonds County Council Debentures and Water Sewerage and Drainage Board Debentures AND WHEREAS it is expedient to acquire certain property which is described in the Schedule hereto on leasehold tenure and which property is hereinafter referred to as the said Property AND WHEREAS it is necessary and expedient to apply some or all of the money raised on the security of the abovementioned investments to the repair and improvement of the said Property AND WHEREAS it is necessary and expedient to apply part of the Sinking Fund created in Clause 7 Sub-Clause (e) of the Principal Ordinance to the repair and improvement of the said Property AND WHEREAS it is expedient to sub-lease the said Property 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:—

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1. By reason of circumstances subsequent to the creation of the trusts to which the said Fund is now subject it is inexpedient to carry out and observe such trusts to the extent to which the same are hereby varied and it is expedient that such trusts should be varied accordingly.

2. The Trustees of the said Fund are authorised to acquire under leasehold tenure the said land and such other land as may from time to time be approved by resolution of the Standing Committee of Synod and upon such terms and conditions as the said Trustees shall deem advisable.

3. The Trustees are authorised to apply:—

(a) All or part of the proceeds of money raised in the manner hereinbefore mentioned and/or

(b) Such part of the said Fund as may be necessary—

for the repair and improvement of the said property.

4. The whole or any part of the said land or the buildings for the time being erected thereon or any land acquired from time to time may be let for terms not exceeding fifteen years and upon such terms and conditions and at such rents as the said Trustees shall deem expedient provided that no part of the said land or buildings shall be let or used for the manufacture sale or distribution of any wine spirits beer or other intoxicating liquors nor for Sunday trading of any kind and provided further in that such property shall only be used as a dwelling house.

5. The rents issues and profits arising from the said property shall be applied as follows:—

(a) In payment of the rent rates and other statutory outgoings and obligations insurances and repairs of the said land and premises.

(b) In repayment of the moneys raised on the security of investments referred to in Clause 4 hereof.

(c) In repayments of that part of the Sinking Fund used under the authority of this Ordinance with interest thereon at the rate of four and a half per centum per annum. The balance to be paid into the said Sinking Fund.

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6. A document purporting to be certified by the Archbishop or Diocesan Secretary of the said Diocese as a copy of any such resolution referred to in Clause 3 hereof shall in favour of any lessor or sub-lessee or any person or corporation claiming under the Lease or Sub-lease be conclusive evidence that such resolution was passed.

7. This Ordinance may be cited as "The St. John's Parramatta Endowment Fund Ordinance 1954."

SCHEDULE.

All that piece or parcel of land situated in the Shire of Blacktown Parish of Prospect County of Cumberland being Lot C shown on Miscellaneous Plans of Sub-division (O.S.) No. 9430 and (R.P.) No. 82393 excluding thereout all that piece or parcel of land commencing at the eastern corner of aforesaid Lot A of Miscellaneous Plan of Sub-division (O.S.) 9430 and bounded on the north west by the south eastern boundary of that Lot A bearing 224 degrees 39 minutes 45 seconds for 83 feet one inch thence on the south by a line being the prolongation easterly of the southern boundary of above Lot A bearing 101 degrees 21 minutes 30 seconds for 14 feet 4 $\frac{3}{4}$ inches thence on the south east by a line bearing 44 degrees 39 minutes 45 seconds for 73 feet 9 $\frac{3}{4}$ inches thence on the north east by part of a south western boundary of Real Property Application 13643 bearing 321 degrees 17 minutes for 12 feet 1 inch to the point of commencement.

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

ARTHUR L. WADE,
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of August, 1954.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop, Commissary,

1/9/1954