

# Wentworth Falls Ordinance 2006

No 53, 2006

## Long Title

An Ordinance to vary the trusts of certain land at Wentworth Falls to provide for the application of part of the proceeds upon the sale of the land.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney and Raymond Neil Partington (collectively the "Trustees") are the registered proprietors of the land being that in folio identifier 1/601144 situated at 71-73 Henderson Road, Wentworth Falls (the "Property").

B. By the will of the Late Alfred Robert Cayley Thomas (the "Will") the Property is held upon trust to be sold with the net proceeds of sale to be held upon trust to pay the income there from to the churchwardens for the time being of Holy Trinity Church Wentworth Falls for the care, maintenance and upkeep of the Wentworth Falls Church, its rectory and grounds.

C. The Trustees propose the sale of the Property in accordance with the power of sale contained in the Will.

D. The parish of Wentworth Falls desires that the trusts of the Property be varied to enable the proceeds of sale to be used, in part, to repay a loan from the Sydney Church of England Finance & Loans Board taken out to extinguish a prior life interest in the Property.

E. By reason of circumstances which have arisen after the creation of the trusts on which the Property is held it is expedient to vary the trusts of the Property in the manner set out in this Ordinance.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the Wentworth Falls Ordinance 2006.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Property is held it is expedient to vary the trusts of the Property to enable part of the proceeds of sale to be used in the manner set out in this Ordinance.

### 3. Application of Proceeds of Sale

(1) The trusts on which the Property are held are hereby varied to enable part of the proceeds of sale to be applied in the manner set out in subclause (2).

(2) The Trustees are to pay from the proceeds of sale of the Property an amount to repay the indebtedness of the parish of Wentworth Falls to Sydney Church of England Finance and Loans Board in respect of loan no. 0221.

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

PETER YOUNG  
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 December 2006.

R WICKS  
Secretary

**Wentworth Falls Ordinance 2006**

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
13/12/2006