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*Church of England National Emergency Fund (Mowll Memorial Village) Variation of Trust Ordinance 1960.*

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No. 21, 1960.

AN ORDINANCE to vary the trusts upon which certain land situated in David Road Castle Hill in the Shire of Hornsby is held and to declare further trusts in respect thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the registered proprietor in fee simple of the land comprised in Certificate of Title Registered Volume 4725 Folio 39 more particularly described in the first Schedule hereto, AND WHEREAS by Clause 8 of Ordinance No. 29, 1958 entitled "Church of England National Emergency Fund Constitution Ordinance 1958" it was declared that the said land (inter alia) should be held by the Corporate Trustee upon trust to permit the same to be used as a church veterans village to provide accommodation for elderly persons of small means AND WHEREAS the land described in the second Schedule hereto upon which is erected two small cottages is not required in connection with the said village now known as the "Mowll Memorial Village" AND WHEREAS the Home Mission Society in the Diocese of Sydney is desirous of acquiring such land to be used as an adjunct of the Charlton Boys Home and to pay to the Church of England National Emergency Fund the sum of Seven thousand two hundred and fifty pounds (£7,250) therefor 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 creation of the trusts upon which the land described in the Second Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the said trusts be varied as hereinafter set forth.

2. The land described in the said second schedule shall henceforth be held by the Corporate Trustee upon trust for the Home Mission Society in the Diocese of Sydney in accordance with the provisions of the Home Mission Society Ordinance 1911 as amended.

3. The said Home Mission Society shall pay to the Board of Church of England National Emergency Fund the sum of Seven thousand two hundred and fifty pounds (£7,250) which shall be

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applied by the said Board towards liquidation of the indebtedness to the Bank of New South Wales incurred in respect of the purchase of the land and premises known as the Mowll Memorial Village being that described in the first schedule hereto.

4. In the event of the said Home Mission Society determining that it no longer requires the use of the said land C.E.N.E.F. shall be entitled to have the first opportunity of again acquiring it upon such terms and conditions as Standing Committee may by Ordinance determine.

5. This Ordinance may be cited as "Church of England National Emergency Fund (Mowll Memorial Village) Variation of Trust Ordinance 1960".

**FIRST SCHEDULE.**

All that piece or parcel of land situated in the Shire of Hornsby Parishes of Field of Mars and South Colah County of Cumberland having an area of 117 acres 2 roods 13 perches or thereabouts being the whole of the land comprised in Certificates of Title Registered Volume 4725 Folio 1, Volume 1166 Folio 102 and Volume 4725 Folio 39.

**SECOND SCHEDULE.**

All that piece or parcel of land situated at Castle Hill in the Shire of Hornsby Parish of South Colah County of Cumberland containing an area of 5 acres having a frontage of 770' to David Road by depth of 285' 10½" being part of Lots 21 and 22 D.P. 2771 and part of the land in Certificate of Title Volume 4725 Folio 39 and being Lot A on plan of subdivision approved by Hornsby Shire Council as Plan No. 4318 and lodged for registration as Miscellaneous Plan of Subdivision (R.P.) under Dealing Number H573124.

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

ATHOL R. RICHARDSON,  
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 29th day  
of August, 1960.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

29 / 8 / 1960.

HUGH SYDNEY,  
Archbishop of Sydney.