

## DECLARATION OF TRUST – PORT MACQUARIE PARISH

**DECLARATION OF TRUST** made the **12th** day of **April 2018** by the Corporate Trustees of the Diocese of Grafton (hereinafter called “the Trustees”) pursuant to section 19 of the Anglican Church of Australia Trust Property Act 1917 and section 164 of the Grafton Diocesan Governance Ordinance 2008.

### WHEREAS

- a. The Trustees hold certain monies within the **Dick Trust** being a term deposit labelled **Hayward House** which are funds set aside for maintaining the fabric of the heritage listed St Thomas’ Anglican Church on Hay Street, Port Macquarie.
- b. The Trustees hold certain monies upon trust for the Parish of **Port Macquarie** arising from a bequest of the estate of the late **Rhonda Martin** and probate on The Estate of Rhonda Martin was declared on 11<sup>th</sup> September 2017 where the recognised Last Will and Testament of the testator provided for “the remainder of my estate to the St Thomas’ Church Foundation of the Anglican Parish of Port Macquarie”.
- c. The said St Thomas’ Church Foundation was never established however on or around the time of testation such a Foundation was mooted for the purpose of maintaining the fabric of the heritage listed St Thomas’ Anglican Church on Hay Street, Port Macquarie.
- d. It is expedient for the Trustees to combine the Hayward House funds and the bequest from the estate of the late Rhonda Martin establishing a single trust known as the **Port Macquarie Parish Heritage Endowment**.

### NOW THIS DEED WITNESSETH as follows:

The monies held, after defraying all liabilities, costs, charges and expenses is declared to be held and applied by the Trustees in the manner following, that is to say:

- a. The said monies are vested in and administered by the said Trustees and will known as the **Port Macquarie Parish Heritage Endowment**.
- b. The net amount of the **Port Macquarie Parish Heritage Endowment** shall be held in trust for the for the specific purpose of the care, maintenance and repair of **St Thomas’ Church** building at Hay Street, Port Macquarie.
- c. The above purpose is extended to the curtilage of the building where such work is directly connected with heritage values of **St Thomas’ Church** building at Hay Street, Port Macquarie.
- d. This trust is open to receive additional funds from donors including gifts identified as for the mooted St Thomas’ Church Foundation or gifts specified

as being for the care, maintenance or repair of St Thomas' Church building at Hay Street, Port Macquarie.

THE COMMON SEAL of THE CORPORATE )  
TRUSTEES OF THE DIOCESE OF GRAFTON )  
was hereunto affixed in the presence of: )

*A. Campbell*

Trustee

*[Signature]*

Trustee

*[Signature]*

Secretary

