

DATED

20th June

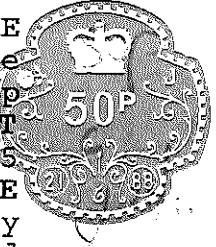
1988

ROMAN CATHOLIC DIOCESE OF WREXHAM

TRUST DEED

ALLINGTON HUGHES
WREXHAM

TO ALL TO WHOM THESE PRESENTS SHALL COME WE THE
RIGHT REVEREND JAMES HANNIGAN of Bishop's House
Wrexham in the County of Clwyd Roman Catholic Bishop
of the Diocese of Wrexham (1) and THE RIGHT
REVEREND MONSIGNOR MATTHEW JOSEPH KELLY of 35
Lloyd Street Llandudno in the County of Gwynedd THE
VERY REVEREND JAMES FEALEY V.F. of The Presbytery
Maude Street Connah's Quay Deeside in the said
County of Clwyd and THE VERY REVEREND CANON
LAURENCE PELOSI of Bishop's House Wrexham
aforesaid (hereinafter called "the Trustees" which
expression shall include the Trustees and the
survivors of them or other the Trustees or Trustee
for the time being of this Deed) (2) SEND GREETING



WHEREAS the sum of cash specified in the
Schedule hereto representing gifts and voluntary
contributions for the general purposes of the Roman
Catholic Church in the recently created Roman
Catholic Diocese of Wrexham has been paid to the
Trustees to the intent that the said sum shall be
held by them upon the charitable trusts declared by
this Deed and it is contemplated that further moneys
investments and properties will be paid or
transferred to the Trustees to be held upon the same
trusts

NOW THESE PRESENTS WITNESS AND IT IS HEREBY
DECLARED as follows :-

1. The Trustees shall hold the said cash sum
and all other contributions donations bequests and
other moneys or property as and when the same shall
be paid or vested in them and the moneys investments
and property from time to time representing the same
upon trust to apply the same or such part or parts
thereof as they shall from time to time think fit
with the consent in writing of the Bishop
hereinafter defined for all or any of the charitable
purposes hereinafter mentioned (subject to the
provisions hereinafter contained)

Trusts for
Churches
and
Chapels

(1) to provide and acquire properties and permit
the same and any other properties of the
like nature hereafter acquired by them to be
used as Churches or Chapels for the
Celebration of Divine Worship according to
the rites and ceremonies of the Roman
Catholic Church for the benefit and use of
Roman Catholics residing or being in the
neighbourhood of the said properties
respectively during such period or periods
whether continuous or discontinuous as the
Trustees may in their discretion with the
consent in writing of the Bishop hereinafter
defined think desirable or for such other
charitable purposes connected with the Roman
Catholic Church in the said Diocese or

elsewhere as the Trustees in their discretion with the consent in writing of the Bishop shall think fit **PROVIDED NEVERTHELESS** that so long as any of the said properties are or may be used as a Church or Chapel the Bishop may personally or by any person or persons acting under his authority examine into and control the ministration and services at the said Church or Chapel and subject to the provisions hereinafter contained regulate the salaries to be paid to the resident Priest and appoint and at pleasure remove any such Priest

Trusts for (2)
Presbyteries
School-masters
Houses and
Parish Halls

to provide and acquire properties and permit the same and any other properties of the like nature hereafter acquired by them to be used as Presbyteries or as houses with gardens and grounds attached thereto or as the Bishop shall from time to time direct for the residence of the Roman Catholic Priest attached to the Church or Chapel in the neighbourhood of the said properties respectively or for a residence or residences of all or any of the teachers of a school or schools in connection with the Roman Catholic Church or for a Parish Hall or Parish Halls for use for charitable purposes in connection with the Roman Catholic Church in the said Diocese or for such other charitable purposes connected with the Roman Catholic Church in the said Diocese or elsewhere as the Trustees in their discretion with the consent in writing of the Bishop shall think fit

Trust for (3)
Schools

to provide and acquire properties and permit the same and any other properties of the like nature hereafter acquired by them to be used respectively as a school or schools in connection with the Roman Catholic Church in the said Diocese during such period or periods whether continuous or discontinuous as the Trustees may in their discretion with the consent in writing of the Bishop think necessary or desirable or for such other charitable purposes connected with the Roman Catholic Church in the said Diocese or elsewhere as the Trustees in their discretion with the consent in writing of the Bishop shall think fit **PROVIDED NEVERTHELESS** that so long as any of the said last-mentioned properties are or may be used as a school or schools under the Education Acts nothing shall be done which shall be inconsistent with the provisions of the said Acts relating to education for the time being in force **PROVIDED ALSO** that the

religious doctrines and practices to be taught and observed in the said school or schools shall in all respects be according to the principles of and subject to the regulations and discipline of the Roman Catholic Church PROVIDED ALSO that it shall be lawful for the Bishop to appoint governors in accordance with the Education Acts for all purposes of the said schools respectively and also to revoke the appointments of any such governors and so that the governors so to be appointed shall be and remain Roman Catholics and may include the Priest in charge of the Mission or Parish to which the said schools respectively shall be attached and also any one or more of the Trustees themselves And every appointment of governors shall be made for a period specified in the relevant instrument of government of each such school unless the same shall be revoked in writing by the Bishop And further that the Trustees (with the consent in writing of the Bishop) shall have full power to pull down alter enlarge and rebuild any school or schools now or hereafter to be erected on the said premises or any part thereof

Income from Churches Chapels Presbyteries Schoolmasters Houses Parish Halls and Schools to go towards upkeep thereof

2. The Trustees shall apply all rents and profits of every kind which shall in any manner arise from the use of the said properties and from any other properties of the like nature hereafter acquired by them respectively for any charitable purpose connected with the support or benefit of the said Churches Chapels Presbyteries Parish Halls and Schools respectively and the charitable work carried on therein or any part thereof respectively and may thereout or out of any other funds which the Bishop may from time to time think fit to expend or any funds applicable thereto by virtue of these presents alter add to repair and insure against fire or rebuild the said Churches Chapels Presbyteries Parish Halls Schools and other buildings or any of them from time to time standing on the said lands respectively in such manner as the Trustees in their discretion with the consent in writing of the Bishop shall think fit and may make any other application of the said moneys which in their opinion the state of the trust property or requirements of the said Churches Chapels Presbyteries Parish Halls and Schools respectively may from time to time render expedient.

Income from other properties

3. The Trustees shall (subject to the provisions hereinafter contained) permit any other properties (not being churches Chapels Presbyteries Parish Halls or Schools) hereafter acquired by them to be used for such charitable purposes as they shall at the time of acquisition thereof be used or

for such charitable purposes as the Trustees in their discretion (with the consent in writing of the Bishop) shall think fit

Power to
sell
Mortgage
Lease etc.

4. The Trustees may (with the consent in writing of the Bishop) sell mortgage demise or let all or any part of any property belonging to the Trustees in such manner and for such estates and terms and at such rents and upon such conditions as the Trustees shall from time to time think fit and so that any mortgage executed under this power may comprise a power of sale in default of repayment of the mortgage money or the interest thereof at the time therein mentioned for payment and the Trustees may give effectual receipts for the purchase or mortgage money or any moneys paid by way of fine or premium upon the granting of any such Lease or for the rent which may be reserved by any such Lease or upon any such letting as aforesaid

Expenditure
of proceeds
of sale etc
of
properties

5. The moneys to arise or be received in respect of any such sale mortgage fines premiums or rents (after payment of expenses) shall both as to capital and income be applied at any time or times in or towards the cost of the erection enlargement alterations improvement pulling down and rebuilding maintenance or support of any charitable Roman Catholic Churches Chapels Presbyteries or Parish Halls in the said Diocese or the education of Roman Catholics in the said Diocese or for providing burial grounds or the erection enlarging improvement maintenance or support of any charitable Roman Catholic Schools in the said Diocese or the purchase of any other properties of whatever tenure to be used for any charitable purpose as the Trustees in their discretion (with the consent in writing of the Bishop) shall think fit with the same powers of sale mortgage and leasing of the properties so purchased as are hereinbefore contained in Clause 4 hereof and the moneys to arise or be received in respect of any such sale mortgage or lease (after payment of expenses) shall both as to capital and income be held by the Trustees upon the trusts and subject to the powers and provisions (including this present power of purchasing properties) upon and subject to which the money laid out under this present power would have been held if the same had not been so laid out and in the meantime until sale the purchased properties are to be considered as money

Investment
clause

6. The Trustees shall stand possessed of the cash and of any other stocks funds and securities which shall hereafter become vested in them Upon trust that the Trustees may allow the same to remain in the present state of investment thereof or in the state of investment in which the same may be at the time of the acquisition thereof so long as they in their discretion shall think fit or shall at such discretion with the consent in writing of the Bishop

sell call in and convert the same into money and with such consent as aforesaid invest the net proceeds of such sale calling in and conversion in the names or under the control of the Trustees in or on any investments for the time being authorised as investments for trust money and in the purchase of property of whatever nature and wherever situated in England and Wales as the Trustees in their discretion with the consent of the Bishop in writing shall think fit and may at such discretion as aforesaid with such consent as aforesaid from time to time vary such investments into any other or others of a like nature

**Mensal and
Episcopal
Administra-
tion Fund**

7. The Trustees shall pay or apply the whole or any part of the income or of the capital of the cash and the investments representing the same and of such additional stocks funds securities and properties as may become vested in the Trustees for any of the purposes mentioned in this clause (hereinafter called "the Mensal and Episcopal Administration Fund") in or towards the payment of the expenses incurred in connection with the proper discharge by the Bishop of the charitable purposes inherent in his Office and his maintenance for the discharge of such purposes including his salary and the salaries of his private secretary and servants and their maintenance and support and the general upkeep of the Bishop's residence as such also the general expenses of Episcopal administration such general expenses to include the salary of the Vicar General and of the secretaries or secretary officials and servants of the Diocese also the expenses incurred in connection with travelling stationery printing postage telegrams telephones the rent rates taxes insurance lighting heating repairing and general upkeep of the Episcopal house and offices and such other expenses as the Bishop may consider necessary and proper to be met out of this Fund

**General
Fund**

8. The Trustees shall pay or apply the whole or any part of the income or of the capital of the cash and the investments representing the same and of such additional stocks funds and securities or properties as may become vested in the Trustees for any of the purposes mentioned in this clause (hereinafter called "the General Fund") as the Trustees shall in their discretion determine such of the costs charges and expenses of and incidental to the execution of the charitable trusts and powers of these presents not otherwise herein provided for as the Trustees may in their discretion think fit and subject as aforesaid the Trustees shall pay or apply the income of the General Fund in or towards the payment of the stipends for Priests of the Roman Catholic Church in the said Diocese the relief and assistance of sick and infirm Priests the support of Poor Missions in connection with the Roman Catholic

Church in the said Diocese the provision of pensions for the Bishop and others who have been attached to the Diocese the insurance maintenance repair or support of any buildings used for any charitable purpose in connection with the Roman Catholic Church in the said Diocese or elsewhere in such manner and to such extent as the Trustees shall with the consent in writing of the Bishop from time to time think fit and for such other purposes as may be required for any charitable purpose in connection with the Roman Catholic Church in the said Diocese or elsewhere as the Trustees shall with the consent in writing of the Bishop from time to time determine **PROVIDED ALWAYS** that if at any time or times the income of the Mensal and Episcopal Administration Fund shall be insufficient to meet the expenses and purposes hereinbefore mentioned the Trustees may in their discretion with the consent in writing of the Bishop apply any part of the income of the General Fund and of any additions thereto to make up the deficiencies in the Mensal and Episcopal Administration Fund

Power to
sell
securities

9. The Trustees may from time to time in their discretion with the consent in writing of the Bishop apply any part of the capital or income of the General Fund in the purchase of any properties of whatever tenure to be used for any charitable purpose in connection with the Roman Catholic Church in the said Diocese or elsewhere with the same powers of sale mortgage and leasing of the properties so purchased as are hereinbefore contained in Clause 4 hereof and the moneys to arise or be received in respect of any such sale mortgage or lease (after payment of expenses) shall both as to capital and income be held by the Trustees upon the trusts and subject to the powers and provisions (including the present power of purchasing properties) upon and subject to which the money laid out under the present power would have been held if the same had not been so laid out and in the meantime until sale the purchased properties are to be considered as money

Expenditure
of proceeds
of sale of
securities

10. The Trustees may from time to time in their discretion with the consent in writing of the Bishop apply any part of the capital of the General Fund in or towards the erection enlargement alteration or improvement of any charitable Roman Catholic Church or Chapels Presbyteries Parish Halls or schools or for providing burial grounds in the said Diocese

Surplus
income

11. The Trustees shall accumulate for such period as is permitted by law the surplus income (if any) of the Mensal and Episcopal Administration Fund and the General Fund and the resulting income thereof in any of the investments hereby authorised in augmentation of the said funds respectively but with power to apply any of the accumulations of any

preceding year or years in such manner as such accumulations might have been applied had they been income arising from the said funds respectively in the then current year

Power to accept and create special trusts

12. The Trustees may accept real property and personal property in cash or securities to be held either for the general purposes hereinbefore mentioned or for any of such purposes or upon special charitable trusts connected with the Roman Catholic Church in the said Diocese or elsewhere specified by the donors or established by the Bishop either as original trustees or as new trustees of a trust already existing PROVIDED that the Trustees shall not be bound to accept property to be held in manner aforesaid unless they shall in their discretion deem it expedient so to do

Administration of general trusts

13. When property is accepted by the Trustees for the general objects hereinbefore expressed they may apply both capital and income including the proceeds of the sale or mortgage thereof in or towards any of such objects as they may with the consent in writing of the Bishop in their discretion think fit or they may with such consent as aforesaid accumulate for such period as is permitted by law such income until the same can in their opinion be usefully expended for all or any of such objects

Donors wishes to over-ride general provisions

14. When property is accepted by the Trustees for any of the particular objects hereinbefore expressed all the powers and provisions of these presents shall be deemed so far as applicable to apply except in so far as the same may be extended or modified by the donor

15. When property is accepted by the Trustees upon trusts already in existence they shall administer such trusts according to the law and the general powers conferred on them by these presents shall not apply

Power to declare new trusts

16. The Trustees may at any time with the consent of the Bishop by any Deed or Deeds revocable or irrevocable appoint that part or parts of the trust property shall be held or applied for some particular charitable purpose within the scope of the general charitable purposes hereinbefore mentioned for such period definite or indefinite as may be specified in any such Deed or Deeds

Power to appoint officials

17. The Trustees may appoint one of themselves or some other fit person to be their clerk and may also appoint any other necessary or proper officers servants or agents for their assistance in the administration and management of the trust property. Every appointment so made shall be revocable by the Trustees at their pleasure. The Trustees may pay to their clerk (not being one of themselves) and to

their other officers servants and agents such annual salaries or other remuneration as the Trustees may from time to time determine

Banking
Account

18. A banking account or banking accounts shall be opened and kept with some fit bankers to be from time to time selected by the Trustees. Every sum of money received in respect of the trust property shall be forthwith paid to the credit of that account unless otherwise expressly ordered by the Trustees

Signing of
cheques

19. All cheques and orders for payment of money may be signed by the Bishop or by such other one of the Trustees as may be appointed in writing by the Bishop so to do

Trustees
Indemnity

20. In the professed execution of the trusts and powers of these presents no Trustee shall be liable for any loss of the trust premises arising by reason of any improper investment made in good faith or for the negligence or fraud of any agent employed by him or by any other Trustee hereof although the employment of such agent was not strictly necessary or expedient or by reason of any mistake or otherwise made in good faith by any Trustee hereof or by reason of any other matter or thing except wilful and individual fraud or wrong-doing on the part of the Trustee who is sought to be made liable

Trustees
meetings
and
procedure
thereat

21. The following provisions shall apply to meetings and proceedings of the Trustees

- (a) The Trustees shall hold ordinary meetings at least once in every year. A special meeting may at any time be summoned by any two Trustees upon seven days' notice being given to all the other Trustees of the business to be transacted or discussed
- (b) The Trustees shall keep a minute book of their proceedings and proper books of accounts of all money received and expended by them and of the matters in respect of which such receipt and expenditure shall take place and of the property for the time being vested in them of all liabilities in respect thereof
- (c) The accounts of the Trustees shall be audited yearly by professional auditors and the costs of the audit shall be paid out of the income of the General Fund
- (d) Subject to these provisions and to the trusts and provisions of these presents the Trustees may from time to time make regulations as to their meetings and the conduct of their business

22(a) The body of Trustees shall consist when complete of not less than seven nor more than nine competent persons of the Roman Catholic faith being four Ex-Officio Trustees and the Trustees and such other persons appointed in manner hereinafter set out provided that if such Trustees are persons in Holy Orders they shall be in possession of Diocesan faculties in the Diocese of Wrexham

(b) The Ex-Officio Trustees shall be :

The Vicar General of the said Diocese

The Chancellor of the said Diocese

The Treasurer of the said Diocese

The Administrator of the Cathedral Church of Our Lady of Sorrows, Wrexham

all for the time being and by virtue of their respective offices

(c) The Trustees shall be appointed by letter of appointment under the hand of the Bishop addressed to the Trustees or their Clerk. If he so desires, the Bishop may appoint himself to be a Trustee of the Charity

(d) No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of the Charity

(e) (i) Any Trustee other than the Bishop may be removed by letter of removal under the hand of the Bishop addressed to the Trustees or their Clerk

(ii) Any Trustee who ceases to profess the Roman Catholic faith or who being the Bishop shall cease to be the Bishop or who being in Holy Orders shall cease to be in possession of diocesan faculties in the Diocese of Wrexham or who shall be absent from all meetings of the Trustees during a period of two years shall cease thereupon to be a Trustee

(iii) Any Trustee who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall cease thereupon to be a Trustee

- (f) Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting and cause notice thereof to be given as soon as possible to the Bishop. Any competent Trustee may be re-appointed
- Power to
revoke
trusts and
declare
new ones
23. The Trustees may with the consent in writing of the Bishop by any deed or deeds wholly or partially revoke the trusts hereinbefore declared concerning the Mensal and Episcopal Administration Fund or the General Fund and declare such new or other trusts of and concerning the said funds or any part or parts thereof respectively being charitable trusts in connection with the Roman Catholic Church in the said Diocese or elsewhere as they with such consent as aforesaid may think fit
- Definition
of Bishop
24. The expression "the Bishop" where used in these presents shall be deemed to include the said Bishop or other the person for the time being exercising Episcopal jurisdiction in the Roman Catholic Church over Roman Catholics residing or being in the Roman Catholic Diocese of Wrexham and in case and so long as there shall not be any person exercising such Episcopal jurisdiction then the person who in accordance with the usages and regulations of the Roman Catholic Church shall exercise Ecclesiastical jurisdiction over Roman Catholics in the said Diocese as Diocesan Administrator
25. The expression "the Diocese of Wrexham" or the said Diocese when used in these presents shall be deemed to include the present Diocese of Wrexham or any alteration or extension thereof
26. No purchaser mortgagee lessee or other person dealing with any person for the time being acting as a Trustee of these presents shall be concerned or entitled to call for evidence or enquire whether any such disqualification as aforesaid shall have occurred or as to the title or authority of any person for the time being or theretofore acting as Bishop or exercising or assuming to exercise such Episcopal jurisdiction as aforesaid or acting or assuming to act as such Diocesan Administrator as aforesaid or as to the validity of any consent to any sale mortgage lease or other transaction given or of any appointment of any new Trustees made then or theretofore by any person so acting or assuming to act

27. PROVIDED ALWAYS that notwithstanding anything hereinbefore contained no part of the trust premises or of the income thereof or any part thereof shall at any time be used or applied in or for any object or purpose which is not a charitable object or purpose

IN WITNESS whereof the parties hereto have hereunto set their hands and seals this Twentieth day of June One thousand nine hundred and eighty eight

THE SCHEDULE above referred to

The sum of £81,335

SIGNED SEALED AND DELIVERED by)
the said JAMES HANNIGAN in the)
presence of :-)

+ James Hannigan

James O'Bowden
Schierin
Wrescham

SIGNED SEALED AND DELIVERED by)
the said MATTHEW JOSEPH KELLY)
in the presence of :-)

Matthew Kelly

Joan Shephard
32 St. Seirid's Rd,
Handlindro.
Secretary.

SIGNED SEALED AND DELIVERED by)
the said JAMES FEALEY in the)
presence of :-)

James Fealey

Michael J. Gurney
Wesley Lodge
Wesley Lane
Leamington
blwyd

Medical Practitioner

SIGNED SEALED AND DELIVERED by)
the said LAURENCE PELOSI in the)
presence of :-)

L. Pelosi .

*James R. Bonden
Schickler
Woscham*