

MR. R. FRANKLIN

and

ROYAL BRIGHTON YACHT CLUB

AMENDMENT OF DEED OF GIFT

BEST, HOOPER, RINTOUL & SHALLARD
Solicitors,
377 Little Collins Street,
MELBOURNE. 3000.
IP.MC 67.8951

THIS DEED is made ^{this} day of February, 1962, BETWEEN ~~REAR~~ RICHARD FRANKLIN of 55 Glencairn Avenue East Brighton in the State of Victoria (hereinafter called "Franklin") of the one part and GRAHAM FULTON CHAPMAN of 9 Hunter Avenue Black Rock in the said State, BEVERLEY GEORGE STEAD of 107 Beaconsfield Parade, Albert Park in the said State, GEORGE EDWARD MAXTED of 1 Dawson Avenue Brighton in the said State and KEITH RONALD FARFOR of 21 Haverbrack Avenue Malvern in the said State (hereinafter called "the Trustees") being the Flag Officers for the time being of the Royal Brighton Yacht Club (which club is hereinafter called "the Donee") of the other part

WHEREAS:

A. BY DEED OF GIFT (hereinafter called "the said Deed of Gift") Edward Alfred Franklin (hereinafter called "the Donor") donated a Cup to the Donee for annual competition between yachts of the International Star Class of the Royal Brighton Yacht Club Fleet.

B. A fleet of International Star Class Yachts no longer exists at the Royal Brighton Yacht Club.

C. THE said Deed of Gift appointed Flag Officers for the time being of the Donee Trustees of the said Cup.

D. THE said Deed of Gift provided that the conditions thereof may from time to time be altered and further conditions may be added with the consent of the Donor so long as he was resident in Australia.

E. THE Donor died on the 13th day of June 1962

F. FRANKLIN is the next of kin and legal personal representative of the Donor.

G. THE TRUSTEES as trustees for and on behalf of the Donee desire to alter the conditions of the said Deed of Gift as hereinafter provided and have requested the consent of Franklin to such alterations and Franklin has consent thereto.

NOW THIS DEED WITNESSETH

1. THE TRUSTEES as trustees under the said Deed of Gift and

Franklin HEREBY ALTER the conditions of the said Deed of Gift as follows:

(a) In condition 1 the words "THE FRANKLIN CUP" are deleted and the words "THE COMMODORE E.A. FRANKLIN MEMORIAL CUP" substituted therefor.

(b) In condition 2 the word "Star" is deleted and the word "Soling" substituted therefor.

(c) Condition 4 is deleted and a new condition 4 is substituted therefor as follows:

"4. The Cup shall be competed for annually in the home waters of the Donee in one race to be held on a Club Cup day."

(d) Condition 5 is deleted and a new condition 5 substituted therefor as follows:

"5. The race held in accordance with condition 4 hereof shall be conducted over a course determined by the Sailing Committee for the time being of the Donee and under the rules of the International Yacht Racing Union, the prescriptions of the Australian Yachting Federation and the Victorian Yachting Council, the Class rules of the International Soling Class, and the Sailing Instructions issued by the Donee.

(e) Conditions 6, 7 and 8 are deleted and a new condition 6 is substituted therefor as follows:

"6. The race held in accordance with condition 4 hereof shall not be a handicap race."

(f) Condition 9 is deleted and a new condition 7 is substituted therefor as follows:

"7. The terms and conditions of this Deed may be amended from time to time by ordinary

resolution of the General Committee of the Donee. A copy of each such amendment signed by the Flag Officers for the time being of the

be annexed to this Deed."

2. THE TRUSTEES shall cause this Deed to be annexed to the said Deed of Gift.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first hereinbefore contained.

SIGNED SEALED AND DELIVERED

by the said Rea FRANKLIN in

the State of Victoria in the

presence of:

Rea

Rea

SIGNED SEALED AND DELIVERED

by the said GRAHAM FULTON

CHAPMAN, BEVERLEY GEORGE

STEAD, GEORGE EDWARD

MAXTED and KEITH RONALD

FARFOR in the State of

Victoria in the presence of: }

G. H. Chapman

Rea

Rea

Rea