

DEED OF TRUST

- by -

IAN MACLEAN, ALEXANDRINA MACKENZIE  
and RODERICK MACLENNAN .

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1960.

Re: Aulbea Community Centre and  
Football Field.

MIDDLETON, ROSS AND ARNOT,  
SOLICITORS, DINGWALL.



DEED of TRUST made the 12th and 13th day of December, Nineteen hundred and sixty, by IAN MACLEAN, Drumchork Farm, Aultbea, Ross-shire, Proprietor of the Estate of Drumchork, MISS ALEXANDRINA MACKENZIE, Aultbea Hotel, Aultbea, Ross-shire, Proprietor of said Hotel and RODERICK MACLENNAN, Cherrytree, Laide, Aultbea, Member of the County Council of the County of Ross and Cromarty for the District in which the subjects hereinafter specified are situated, (the persons from time to time acting hereunder being hereinafter called "the Trustees")

WHEREAS (One) by Feu Charter granted by Ian Maclean in favour of the Trustees dated twelfth December, Nineteen hundred and sixty and recorded in the Division of the General Register of Sasines applicable to the County of Ross and Cromarty on the fourteenth day of January, Nineteen hundred and sixty one we as Trustees are heritably vest in the subjects therein described which comprise a hall and football or sports field for the use of the inhabitants of Aultbea and surrounding District; and (Two) it is right and proper that we should declare the purposes for which we hold the said subjects THEREFORE WE HEREBY DECLARE as follows, videlicet:-

OBJECTS.

FIRST.

The said subjects and the building erected or to be erected thereon (hereinafter referred to as "the Trust subjects") are dedicated and shall be held by us and our successors as Trustees in all time coming for the purposes of physical and mental training and recreation, and social, moral and intellectual development through the medium of reading and recreation rooms, library, lectures, classes, recreation or otherwise as may be found expedient of the inhabitants of Aultbea and surrounding District in the County of Ross /

*Ian Maclean*

*Alexandrina Mackenzie*

*Roderick MacLennan*

Ross and Cromarty without distinction of sex or of political, Religious or other opinions subject to the provisions of these presents.

COMMITTEE OF MANAGEMENT

SECOND.

(One) The general management and control of the Trust subjects and the arrangement for their use shall be vested in a Committee of Management (hereinafter called "the Committee") consisting of Elected and Representative Members with powers to co-opt additional Members

(Two) Eleven elected Members of the Committee (other than those appointed under Clause Fourth to fill the casual vacancies) shall be elected at the first Annual General Meeting referred to in Clause Third hereof and on each subsequent appointment of Members at the Annual General Meeting.

(Three) One Representative Member of the Committee shall be appointed by each of the following organisations, videlicet:-

Aultbea Badminton Club.  
Aultbea Parents Association.

(Four) The names of the Representative Members of the Committee will be notified by the organisation concerned to the Secretary of the Committee one month before the first General Meeting and each subsequent Annual General Meeting.

(Five) The persons appointed by the said organisations together with the Members elected at the first General Meeting as aforesaid shall be the first Members of the Committee and until the first General Meeting has been held the /

*John MacLean*

*Alexandra Mackenzie*

*R. MacLennan*

the Members of the Committee appointed by the said organisations shall have power to act.

(Six) The Committee shall have power to co-opt not more than two Members to represent interests in the said District not represented by any organisation.

(Seven) All Members of the Committee shall retire annually at the Annual General Meeting but shall be eligible for re-election.

#### ANNUAL GENERAL MEETING

#### THIRD.

There shall be an Annual General Meeting to be convened by the Committee in the month of March in each year; the first of such Meetings (herein called the "First General Meeting") shall be convened in the month of March, Nineteen hundred and sixty one by one week's notice to be affixed to some conspicuous part of the Trust subjects or other conspicuous place or places in the said District; those entitled to attend such Meetings shall be the inhabitants of the age of Eighteen years and upwards of either sex in the said District; the purpose of the said Meeting shall be to receive the Report and Accounts of the Committee to appoint Members under Clause Second hereof and to take such action as it may decide under Clause Sixth hereof.

#### CASUAL VACANCIES.

#### FOURTH.

In the event of a Member of the Committee dying, resigning or leaving the said District the vacancy arising thereby shall be filled by the organisation by which such Member shall have been appointed and the person appointed to fill the vacancy shall retire at the time when the vacating Member would have retired. In the event of /

*Sam Wrobleman*

*Alexandrina Mackenzie*

*R. MacLennan*

of any other Member of the Committee dying, resigning or leaving the said District the Committee shall have power to fill such vacancy until the next Annual General Meeting.

ADDITIONAL MEMBERS

FIFTH.

In the event of any other organisation being formed in the said District with aims of a social or educational character not inconsistent with those upon which the Trust subjects are held hereunder, the Committee shall have power, by a Resolution of the Committee passed at a Meeting at which not less than two-thirds of all the Members vote in favour of the Resolution, to allow such new organisation to appoint an additional Member of the Committee in the same manner as if such new organisation had been mentioned in Clause Second hereof and for this purpose the total number of Members may be increased.

LAPSED ORGANISATIONS

SIXTH

If any organisation entitled to appoint a Member of the Committee ceases to exist or fails to make the appointment in manner foresaid before the Annual General Meeting in any year the Annual General Meeting shall decide in what way, if at all, the vacancy shall be filled.

DETERMINATION OF MEMBERSHIP.

SEVENTH.

Any Member who is adjudged bankrupt, or who makes a composition or arrangement with his creditors, or who is incapacitated from acting, or who communicates in writing to the Committee a wish to resign, shall thereupon cease to /

*Sam Mahan*

*Alexandria Mackenzie*

*R. MacLennan.*

to be a Member.

CHAIRMAN and VICE-CHAIRMAN

EIGHTH.

The Committee, at its first meeting in each year after the Annual General Meeting, shall elect one of its number to be Chairman of its meetings and may elect one of its number to be Vice-Chairman. The Chairman and Vice-Chairman shall continue in office until their successors are respectively elected.

If the Chairman is absent from any meeting, the Vice-Chairman (if any) shall preside; otherwise the Members present shall, before any other business is transacted, choose one of their number to preside at that meeting.

PROCEEDINGS OF COMMITTEE

NINTH.

The Committee may from time to time make and alter Rules and Regulations for the conduct of its business and for the summoning and conduct of its Meetings and in particular with reference to (a) the terms and conditions upon which the Trust subjects may be used for Meetings, social gatherings and other purposes and the sum (if any) to be paid for such use; (b) the appointment of an Auditor who shall not be a Trustee or a Member of the Committee, Treasurer or such other unpaid officers as it may consider necessary and the fixing of their respective terms of office; (c) the engagement and dismissal of such paid officers and servants for the Trust subjects as it may consider necessary; and (d) the number of Members who shall form a quorum at its Meetings provided that the number of Members who shall form a quorum shall never be less than one-third of the total number of Members of the Committee.

TENTH.

The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any defect in the appointment or qualification /

*Jan Maclean*

*Alexandria Mackenzie*

*R. Maclean*

qualification of any Member.

REPAIRS AND INSURANCE

ELEVENTH. The Committee shall maintain the Trust subjects and the furniture and effects therein in good repair and shall keep them insured against fire and loss or damage from whatever cause arising for not less than their full value.

FINANCE

TWELFTH. All payments in respect of the use of the Trust subjects and all donations for the benefit thereof shall be paid into a Trust Account at the Bank of Scotland at Gairloch or such other Bank as shall from time to time be substituted therefor by the Committee.

THIRTEENTH. The monies standing to the credit of the said Account shall be applied as the Committee shall decide in repairing and insuring the Trust subjects or the furniture and effects therein as hereinbefore provided and in paying all rent (if any), rates, taxes, salaries of paid officers and servants and other outgoings and in providing furniture, books, newspapers, periodicals and other literature and means of recreation and otherwise for the upkeep and improvement of the Trust subjects.

FOURTEENTH. The Committee shall provide the Trustees with sufficient funds to meet all such expenditure (if any) in connection with the Trust subjects as the Trustees may be liable for and shall keep the Trustees indemnified against all liability (if any) in respect thereof.

FIFTEENTH. /

*John Mackenzie*

*Alexandrina Mackenzie*

*R. Mackenzie*

FIFTEENTH.

The Committee may upon a vote of a majority of its Members and subject to the consent of the Secretary of State for Scotland (or the Scottish Council of Social Service on his behalf) from time to time require the Trustees by heritable security or otherwise to obtain such advance on the security of the Trust subjects or any part thereof as may be required for maintaining, extending or improving the same or any part thereof, or erecting any building thereon, or for the work carried on therein and may continue or repay in whole or in part and from time to time any existing loan on the security of the Trust subjects.

APPOINTMENT OF NEW TRUSTEES

SIXTEENTH.

Vacancies in the office of Trustee shall be filled up by persons appointed by the Committee declaring that the number of Trustees shall at no time be less than three. The Trustees themselves shall not have power to assume new Trustees.

DISSOLUTION

SEVENTEENTH.

If the Committee decide by a majority at any time that on the ground of expense or otherwise it is necessary or advisable to discontinue the use of the Trust subjects in whole or in part for the purposes herein mentioned they shall call a meeting of the inhabitants of the age of eighteen years and upwards in the said District of which meeting not less than fourteen days' notice shall be given by posting a copy of the notice containing a copy of the proposed Resolution to be moved in a conspicuous place or places on the Trust subjects and by advertising in a newspaper circulating in the said District and if such decision shall be confirmed by a majority of such inhabitants present at such meeting and voting the Trustees may subject to the consent of the Secretary /

*Sam Mahan*

*Alexandrina Mackenzie*

*Russellman.*



Secretary of State for Scotland (or the Scottish Council of Social Service on his behalf) let or sell the Trust subjects or any part thereof and all monies arising from such letting or sale (after satisfaction of any liabilities properly payable thereout) shall be applied either in the hire or purchase of other subjects approved by the Committee and be held upon trust for the purposes and subject to the provisions hereinbefore written or as near thereto as circumstances will permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the said District as may be approved by the Secretary of State for Scotland (or the Scottish Council of Social Service on his behalf) and in the interval such monies shall be invested in the name of the Trustees and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income thereof in like manner as an addition to and to be applied as the capital of such investments or shall be used for any purpose for which the income of the Trust subjects may properly be applied.

#### VOTING

EIGHTEENTH. Every matter shall (except as hereinbefore provided) be determined by a majority of the Members present and voting on the question. Each Member shall be entitled to one vote and proxies shall not be allowed. In the case of equality of votes the Chairman of the Meeting shall have a second or casting vote.

#### AMENDMENT

NINETEENTH. These presents may be amended by a Resolution of a majority of the Trustees then acting if Government legislation is passed at /

*Tom MacLennan*

*A. Alexandra MacKenzie*

*R. MacLennan*

at any time necessitating such amendment.

RULES AND REGULATIONS

LASTLY.

If any rules and regulations made under the power hereinbefore provided are inconsistent with the provisions of these presents the latter shall prevail. IN WITNESS WHEREOF these presents typewritten on this and the eight preceding pages are subscribed by us all in the year Nineteen hundred and sixty as follows videlicet:- by me the said Miss Alexandrina MacKenzie at Aultbea on the Twelfth day of December before these witnesses Dorothy Carmichael, Housewife, of Caberfeidh, Aultbea and Anna Forbes, Book-keeper/Receptionist, of Laide House, Laide; by me the said Ian Maclean at Drumchork, Aultbea on the Thirteenth day of December before these witnesses Murdo Cameron, Vanman, and William Moyes, Electrician, both of Drumchork Farm, Aultbea; and by me the said Roderick MacLennan at Laide on the Thirteenth day of December before these witnesses Ian MacAulay, Postman, residing at Twenty three Sand, Laide, by Achnasheen, Ross-shire and Murdo MacLennan, Postman, residing at Two Udrigle, Laide aforesaid.

Murdo Cameron  
William Moyes  
Dorothy Carmichael  
Anna Forbes  
MacAulay  
R MacLennan

witness  
witness

Ian Maclean  
A. MacKenzie  
R MacLennan