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*St. Matthew's West Pymble Mortgage Ordinance 1964*

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No. 18, 1964.

AN ORDINANCE to authorise the mortgaging of certain land at West Pymble in the Municipality of Ku-ring-gai to provide for the application of the proceeds and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the purchaser from the Council of the Municipality of Ku-ring-gai of the land comprised in Certificate of Title Volume 9385 Folio 212 more particularly described in the Schedule hereto and is entitled to be registered as proprietor thereof in fee simple AND WHEREAS the contract for the purchase of the said land provides that the transfer in pursuance thereof shall contain a covenant by the Corporate Trustee that no building on the land shall be used other than for the purpose of public worship or of religious teaching or training or the residence of any Clergyman licensed for conduct of such purposes or partly for one and partly for the other of such purposes AND WHEREAS the said land is Church Trust property held for the sole benefit of St. Matthew's Church West Pymble in the Parish of St. Swithun Pymble AND WHEREAS the said land is now vacant and it is intended to erect a new church and hall on part thereof to be known as St. Matthew's West Pymble AND WHEREAS for such purpose it is necessary to borrow a sum not exceeding Twenty thousand pounds (£20,000) to be applied towards the cost thereof and it is expedient that the said land be mortgaged accordingly NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY RULES ORDAINS AND DIRECTS as follows:-

1. (i) The Corporate Trustee is empowered to mortgage from time to time the land described in the Schedule hereto for the purpose of borrowing the sums following:-
  - (a) When the power is first exercised a sum not exceeding Twenty thousand pounds (£20,000).
  - (b) When the power is subsequently exercised such sum not exceeding Twenty thousand pounds (£20,000) as the Standing Committee shall by resolution determine.

PROVIDED THAT such debt shall be reduced at the rate of not less than Two thousand pounds (£2,000) per

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annum including interest when the power is first exercised and thereafter at such rate as Standing Committee shall by resolution determine PROVIDED FURTHER that no person or corporation advancing moneys under the provisions of this Ordinance shall be concerned to enquire whether such reductions as aforesaid have been made.

- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) Any document purporting to be certified by the Archbishop or Diocesan Secretary of the said Diocese as a copy of any such Resolution shall in favour of a Mortgagee or any person or corporation claiming under the mortgage be conclusive evidence that such resolution was duly passed.

2. The proceeds of the mortgage hereby authorised shall after paying the costs of and incidental to such mortgage be paid to the Churchwardens for the time being of St. Matthew's West Pymble to be applied by them towards the cost of erection of the new church and hall on the said land.

3. The Churchwardens of St. Matthew's West Pymble shall within seven days of the holding of the Annual Vestry Meeting during such time as any money is owing to any mortgagee pursuant to this Ordinance cause an account to be forwarded to the Diocesan Secretary giving details of the original amount borrowed, the amounts paid off and the balance owing.

4. This Ordinance may be cited as "St. Matthew's West Pymble Mortgage Ordinance 1964."

SCHEDULE

All that piece or parcel of land situated at West Pymble in the Municipality of Ku-ring-gai Parish of Gordon County of Cumberland containing 3 roods 34½ perches with frontages to Kendall Street and Eppleston Place being Lot 1 D.P. 216305 and the whole of the land in Certificate of Title Volume 9385 Folio 212.

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

H. G. S. BEGBIE,  
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of Synod of the Diocese of Sydney on the 29th day of June, 1964.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

9/7/1964.

HUGH GOUGH,  
Archbishop of Sydney.