

ST. PAUL'S CHATSWOOD MORTGAGING ORDINANCE 1979

NO. 19 1979

AN ORDINANCE to authorise the mortgaging of certain land at Chatswood.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land described in the Schedule hereto.

5 B. The said land is held upon trust to permit the same to be used for a church parsonage or parish hall or partly one and partly for another of such purposes in connection with the Church of England in Australia in the Parish of St. Paul Chatswood and on trust to permit the same to be mortgaged to the extent authorised by the St. Paul's Chatswood Declaration of Trusts and Mortgaging Ordinance 1968.

10 C. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held, it is expedient that the said land be further mortgaged.

15 NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS DIRECTS AND RULES as follows:-

1. This ordinance may be cited as "St. Paul's Chatswood Mortgaging Ordinance 1979".

20 2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the Schedule hereto is held, it is expedient that the said land be mortgaged.

3. (1) The Corporate Trustee is hereby empowered to mortgage from time to time the whole or any part of the said land for the purpose of borrowing such sum as may have been last approved by the Standing Committee by resolution thereof.

25 (2) The amount borrowed on the security of any mortgage granted pursuant to this Ordinance shall be paid to the churchwardens of the church building known as St. Paul's Chatswood and, after the costs of and incidental to this Ordinance

and to every such mortgage have been met therefrom, shall be applied in or towards meeting the costs of erecting a parish hall in the Parish of Chatswood or for such other purposes in the Parish of Chatswood (being not inconsistent with the trusts on which the said land is held) as the Standing Committee may have last approved by resolution thereof.

(3) Any document purporting to be certified by the Archbishop or the Diocesan Secretary of the said Diocese as a copy of any resolution of the Standing Committee passed pursuant to this clause shall, in favour of a mortgagee or any person claiming under a mortgage granted pursuant to this Ordinance, be conclusive evidence that such resolution was duly passed and, except where a subsequent certificate pursuant to this clause has been delivered to such mortgagee or person, be conclusive evidence that such resolution was the last resolution passed by the Standing Committee pursuant to this clause.

4. Whilst any money is secured by any mortgage granted pursuant to this Ordinance, the said churchwardens, in every statement of assets prepared pursuant to Clause 41 of the Sydney Church Ordinance 1912 (as amended) shall disclose the amount so secured on the last day of the financial year to which the statement of assets relates.

SCHEDULE

ALL THAT land situated in the Municipality of Willoughby Parish of Willoughby and County of Cumberland being the land comprised in Certificates of Title Volume 1537 Folio 154 Volume 1684 Folio 139 and Volume 6238 Folio 78 and known as 5 and 7 View Street, Chatswood.

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

*Barrie O'S*  
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 Chairman of Committees

*MA*

3.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28<sup>th</sup> day of May 1979.

*[Handwritten Signature]*

.....  
Secretary

I ASSENT to this Ordinance

*M. L. Doane*

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Archbishop of Sydney  
28/5/1979