
Christ Church, Blacktown Mortgage Ordinance 1969

No. 14, 1969

AN ORDINANCE to authorise the mortgaging of certain land at Blacktown and to provide for the application of the money advanced.

WHEREAS by Conveyance dated 23rd September, 1911 made between The Sydney and Suburban Mutual Permanent Building and Land Investment Association Limited of the first part Thomas Davis of the second part and Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") of the third part Registered No. 319 Book 946 the land described in the Schedule hereto was conveyed unto the Corporate Trustee AND WHEREAS the said land is church trust property held for the sole benefit of the Parish of Christ Church Blacktown upon trust to permit the same to be used as a church, parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in Australia in the said Parish AND WHEREAS a church known as Christ Church is erected on the said land AND WHEREAS it is proposed to alter and enlarge such church and add a parish hall thereto and for such purpose it will be necessary to borrow certain moneys on the security of such land AND WHEREAS there is presently owing by the said Parish a sum of approximately Seven thousand dollars (\$7,000) in respect of the purchase of a curate's residence which sum it is proposed to repay from portion of the money to be borrowed pursuant to the provisions of this Ordinance NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES DIRECTS AND ORDAINS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is expedient that such land be mortgaged or charged.

2. (i) The Corporate Trustee is hereby directed and empowered to mortgage or charge the whole or any part of the said land for the purpose of borrowing the sums following:—

(a) When the power is first exercised a sum not exceeding Twenty thousand dollars (\$20,000).

(b) When the power is subsequently exercised such sum not exceeding Twenty thousand dollars (\$20,000) as Standing Committee may by resolution determine.

Provided that the debt shall be reduced when the power is first exercised at the rate of not less than One thousand

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eight hundred dollars (\$1,800) per annum principal and interest and when the power is subsequently exercised at such rate as Standing Committee may by resolution determine.

- (if) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the power.
- (iii) A document purporting to be certified by the Archbishop or Diocesan Secretary 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.

3. The proceeds of any mortgage or charge hereby authorised shall be applied by the Corporate Trustee as follows:—

- (i) When the power is first exercised firstly in payment of the costs and expenses of and incidental to this Ordinance and any mortgage or charge executed in pursuance thereof secondly in repayment of the balance owing in respect of the Curate's residence in the said Parish and the balance towards the cost of extension and alteration of the existing church and the addition of a parish hall on the said land.
- (ii) When the power is subsequently exercised in payment of the principal interest and costs of and incidental to the discharge of any existing mortgage or charge or the renewal thereof or of any new mortgage or charge or for such other purpose or purposes as Standing Committee may by resolution determine.
- (iii) Any mortgagee advancing moneys pursuant to the provisions of sub-clause (i) of this clause is hereby authorised to pay the same direct to the Churchwardens for the time being of Christ Church Blacktown.

4. The Churchwardens for the time being of Christ Church Blacktown shall within seven days of the holding of the Annual Vestry Meeting of such church during such time as any moneys are owing to any mortgagee pursuant to this Ordinance cause an account thereof to be forwarded to the Diocesan Secretary giving details of the amount borrowed the amount paid off and the balance owing.

5. This Ordinance may be cited as "Christ Church Blacktown Mortgage Ordinance 1969".

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SCHEDULE

All that piece or parcel of land containing two roods one and one half perches being Lots 26, 27, 30 and 31 of the Blacktown Township Estate being part of 2,000 acres granted to Captain Robert Lethbridge at Blacktown situated in the Parish of Prospect County of Cumberland State of New South Wales commencing at the South Westerly corner of Lot 32 being a point on the Easterly boundary of Flushcombe Road bearing Southerly and distant one thousand and twenty-eight feet from the intersection of that boundary with a South Westerly boundary of Richmond (late Great Western) Road and bounded thence by part of Easterly boundary of Flushcombe Road Southerly for eighty feet to a lane twenty feet wide thence by the Northern boundary of that lane Easterly for two hundred and seventy-seven feet three inches to Campbell Street thence by part of the Westerly boundary of that street Northèrly for eighty feet to Lot 25 and thence by the Southerly boundaries of that lot and Lot 32 being a line Westerly for two hundred and seventy-eight feet one inch to the point of commencement be the said several dimensions a little more or less.

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of May, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

26/5/1969.