
St. Andrew's Strathfield Mortgaging Ordinance 1940.

No. 10, 1940.

AN ORDINANCE to authorise the mortgaging of certain land in the Municipality of Concord Parish of Concord County of Cumberland in the State of New South Wales and to provide for the application of the proceeds thereof.

WHEREAS by Certificate of Title dated 9th December 1937 Registered Volume 4892 Folio 104 James Edward Thurling Arthur Herbert Brett Herbert Henry Sykes and Harold Warner as Trustees of St. Andrew's Church Strathfield (hereinafter referred to as the Trustees) are registered under the provisions of the Real Property Act 1900 as the Proprietors of an Estate in Fee Simple as Joint Tenants in the land described in the Schedule hereto AND WHEREAS the said land is Church Trust property AND WHEREAS there is at present erected on the land described in the Schedule hereto the Church of St. Andrew's Strathfield Parish Hall (partly completed) and Parsonage AND WHEREAS the said Parish Hall is constructed of Brick and was erected about 20 years ago and is now too small to meet the requirements of the expanding population and needs of the Parish AND WHEREAS it is expedient to complete the Parish Hall on the said land AND WHEREAS for the purpose of providing portion of the money to pay or satisfy the cost of completing the said Parish Hall it is expedient to borrow or raise money upon the security of a mortgage or mortgages of the whole or some part or parts of the said land NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. The said land shall be held upon trust to permit the same to be used for 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 the Parish of St. Andrew's Strathfield.

2. By reason of circumstances subsequent to the creation of the said recited Trusts it is expedient to Mortgage the land comprised in the Schedule hereto.

(i) The Trustees are hereby empowered to mortgage from time to time the whole or any part of the land com-

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prised in the Schedule hereto for the purpose of borrowing the sums following:—

- (a) When the power is first exercised a sum not exceeding Six Hundred Pounds (£600).
 - (b) When the power is subsequently exercised such sum as the Standing Committee shall by Resolution determine PROVIDED that such debt shall be reduced at the rate of not less than Fifty Pounds (£50) per annum.
- (ii) Any renewal of a Mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) A 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 Mortgagee be conclusive evidence that such Resolution was duly passed.

3. The proceeds of any Mortgage hereby authorised shall be applied by the Trustees as follows:—

- (a) In payment of the costs charges and expenses of and incidental to this Ordinance and such Mortgage or any Mortgages executed in pursuance of this Ordinance.
- (b) Subject thereto the balance shall be paid to the Rector and Churchwardens for the time being of the said Parish (whose receipt shall be a sufficient discharge therefor) and who shall apply such moneys received in or towards payment or satisfaction of the cost of and incidental to completing the Parish Hall on the said land or in repayment of any Mortgage or Mortgages raised pursuant to the terms hereof together with any interest charges costs and expenses incidental thereto.

4. The Rector and Churchwardens for the time being of the said Parish shall within seven days of the date of holding the Annual Vestry Meeting during such time as any money is owing to any Mortgagee pursuant to this Ordinance cause an Account

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to be forwarded to the Diocesan Secretary giving details of the original amount borrowed amounts paid off and the balance owing.

5. This Ordinance shall be styled and cited as St. Andrew's Strathfield Mortgaging Ordinance 1940.

THE SCHEDULE HEREINBEFORE REFERRED TO

ALL THAT piece or parcel of land situated in the Municipality of Concord Parish of Concord and County of Cumberland containing two roods five and three quarter perches or thereabouts being lots 20 to 23 inclusive and part of lot 24 in Deposited Plan No. 5336 having a frontage of 194 feet four and $\frac{1}{4}$ inches to Concord Road by a depth of 120 feet two inches along Parramatta Road (Great Western Highway) and being the whole of the land comprised in Certificate of Title Registered No. 4892 Fol. 104.

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

W. J. G. MANN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this thirtieth day of September, 1940.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

October 1, 1940.