
St. John's West Strathfield Mortgage Ordinance 1964

No. 38, 1964.

AN ORDINANCE to authorise the mortgaging of certain land at West Strathfield in the Parish of Concord County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is presently the Registered Proprietor of the land contained in Certificate of Title Volume 5649 Folio 3 more particularly described in the schedule hereto (hereinafter called "the said land") AND WHEREAS the said land is Church Trust property held for the sole benefit of St. John's Church of England, West Strathfield within the Provisional Parish of Flemington-Homebush AND WHEREAS the building presently erected on the land is used for a Parish Hall in connection with St. John's Church of England, West Strathfield AND WHEREAS it is intended to erect a church on part of the said land to be known as St. John's Church of England, West Strathfield AND WHEREAS for such purpose it is necessary to borrow a sum not exceeding Ten thousand pounds (£10,000) to be applied towards the cost of erection thereof and other matters incidental thereto AND it is expedient that the 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 ORDAINS DECLARES AND DIRECTS as follows:-

1. (i) The Corporate Trustee is hereby empowered to mortgage the land or any part thereof from time to time for the purpose of borrowing the sums following:-
 - (a) When the power is first exercised a sum not exceeding Ten thousand pounds (£10,000).
 - (b) When the power is subsequently exercised such sum not exceeding Ten thousand pounds (£10,000) as the Standing Committee shall by resolution determine PROVIDED THAT the debt when the power is first exercised shall be reduced by the sum of Eight hundred and Forty pounds (£840) per annum and when the power is subsequently exercised at such rate as the Standing Committee shall by resolution determine PROVIDED FURTHER that no person or corporation

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advancing money pursuant to this Ordinance shall be concerned to enquire whether such reductions have been made.

- (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 any mortgage be conclusive evidence that such resolution was duly passed.

2. The proceeds of any mortgage hereby authorised shall be applied as follows:-

- (i) When the power is first exercised in payment of the costs of and incidental to this Ordinance and any mortgage executed in pursuance thereof the balance to be paid to the Churchwardens for the time being of St. John's Church of England, West Strathfield who shall apply the same towards the erection of a church on the said land.
- (ii) When the power is subsequently exercised in payment of the principal interest and the costs of and incidental to the discharge of any then existing mortgage and the costs and expenses of such further mortgage.

3. The Churchwardens for the time being of St. John's Church of England, West Strathfield shall within seven (7) 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. John's West Strathfield Mortgage Ordinance 1964."

SCHEDULE

ALL THAT piece or parcel of land situate in the Municipality of Strathfield Parish of Concord and County of Cumberland having

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a frontage to Newton Road of Fifty feet (50') an Eastern and a Western boundary each of Two hundred and thirty-one feet six inches (231' 6") and a rear line of Fifty feet (50') and being One Rood Two and a half Perches (1rd. 2½p.) in area being Lot 18 in Deposited Plan No. 16130 and being the whole of the land contained in Certificate of Title Volume 5649 Folio 3.

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 30th day of November, 1964.

R. K. JONES,
Acting Secretary.

I assent to this Ordinance.

30/11/1964.

HUGH SYDNEY,
Archbishop of Sydney.