

ST. ALBAN'S EPPING ORDINANCE 1979No. 55 1979

AN ORDINANCE to declare the trusts of certain land at Epping in the Shire of Hornsby, to authorise the mortgaging of such land, and to provide for the application of the proceeds of such mortgaging.

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 and upon which stands a rectory or parsonage.

B. The said land is held upon trust for the sole benefit of the Parish of St. Alban's Epping but doubts have arisen as to the purposes for which it is so held.

C. For the purposes of erecting a choir and organ gallery and of installing a new organ at St. Alban's Church Epping, it is expedient that the said land be mortgaged to borrow the sum of up to fifty thousand dollars (\$50,000).

D. For the purpose of borrowing from time to time hereafter such further sums for the benefit of the Parish as may be approved by resolution of the Standing Committee, it is expedient to empower the Corporate Trustee to further mortgage the said land from time to time hereafter.

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. Alban's Epping Ordinance 1979".

2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said land is held, it is expedient that the purposes of the said trusts be declared as hereinafter set forth.

3. The land shall henceforth be held upon trust for a:-

- (a) church;
- (b) residence for a minister, assistant to the minister or person employed by the churchwardens;
- (c) hall or halls;
- (d) school or other place of assembly;

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or partly for one or another of those purposes in connection with the Church of England in Australia within the Diocese of Sydney for the sole benefit of the Parish of St. Alban's Epping or any parish or ecclesiastical district into which it may subsequently be formed or form a part.

30 4. By reason of circumstances which have arisen it is expedient that the said land be mortgaged.

5. (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 the sum of up to fifty thousand dollars (\$50,000) or such other sum as may have been last approved by the Standing Committee by resolution thereof.

40 (2) The amount borrowed on the security of any mortgage granted pursuant to this Ordinance shall be paid to the churchwardens of St. Alban's Church Epping 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 choir and organ gallery and of installing a new organ at St. Alban's Church Epping or for such other purposes in the Parish of Epping (being not inconsistent with the trusts on which the said land is held) as the Standing Committee may have last approved by resolution thereof.

45 (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.

50 6. 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.

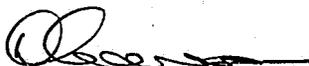
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SCHEDULE

ALL THAT land situated in the Shire of Hornsby Parish of Field of Mars and County of Cumberland having a frontage of approximately 154' 0 3/4" to Pembroke Street, Epping being Lot 1 in Plan lodged with Order No. G515483 and being the whole of the land comprised in Certificate of Title Volume 7272 Folio 92.

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



Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 10th day of December 1979.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney

10/12/1979