

ST. MARY'S TOONGABBIE LOAN ORDINANCE 1981

No. 6 1981

AN ORDINANCE to authorise the mortgaging of certain property situate at Toongabbie.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter call "the Corporate Trustee") is the registered proprietor of certain land and buildings situate at the corner of Binalong Road and Burrabogee Road, Toongabbie being the whole of the land formerly comprised in Deed of Conveyance Registered No. 325 Book 513 but being now comprised in Certificate of Title Volume 13677 Folio 180 and being more particularly described in the Schedule hereto (hereinafter referred to as "the property")

AND WHEREAS pursuant to the Pendle Hill Land, Church and Rectory Sale Ordinance 1978 (hereinafter referred to as "the 1978 Ordinance") the Corporate Trustee was empowered to carry out certain development on the said property and subdivide and sell such portions of the said property upon the terms more particularly set out in the 1978 Ordinance AND WHEREAS portion of the said development as authorised by the 1978 Ordinance has been completed, in particular the new rectory and the extensions to the parish hall AND WHEREAS it has been decided to defer the subdivision of the said property AND WHEREAS in order to carry out the aforesaid development a

temporary loan was obtained upon the authority of the Sydney Church of England Finance and Loans Board (hereinafter referred to as "the existing loan")

AND WHEREAS it has been determined to obtain a loan sufficient to pay/ the existing loan NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. (1) The Corporate Trustee is hereby empowered to mortgage or charge from time to time the whole or any part of the land described in the Schedule hereto for the purpose of borrowing the sum of Twenty one thousand dollars (\$21,000) or such other sum as may have been last approved by the Standing Committee by Resolution thereof.

(2) The amount borrowed on the security of any mortgage granted pursuant to this Ordinance shall be paid to the Churchwardens for the time being of St. Mary's Toongabbie and, after the costs of ^{and} ~~any~~ incidental to this ordinance and to every such mortgage have been met therefrom, shall be applied in or towards repayment of the existing loan or for such other purposes in the Parish of Toongabbie 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.

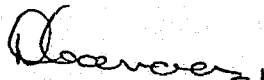
2. Whilst any money is secured by any mortgage granted pursuant to this ordinance, the said Churchwardens, in every statement of assets prepared pursuant to clause 41 of the Sydney Church Ordinance 1912 (as amended) shall disclose the amount so secured on the last day of the financial year to which the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

3. This Ordinance may be cited as "St. Mary's Toongabbie Loan Ordinance 1981".

SCHEDULE

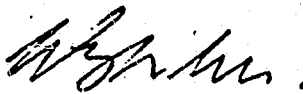
ALL THAT piece or parcel of land in the City of Parramatta Parish of Prospect and County of Cumberland being Lot 1 in Deposited Plan No. 595937 and the whole of the land in Certificate of Title Volume 13677 Folio 180.

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 27th day of April 1981.



Secretary

I ASSENT to this Ordinance.



Commissioner
Archbishop of Sydney

27/4/1981