
St. Peter's Glenbrook Mortgaging Ordinance 1953.

No. 15, 1953

AN ORDINANCE to vary the trusts and authorise the mortgaging of certain land at Blaxland and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is seised of an estate in fee simple of the land comprised in Certificate of Title Registered Volume 2827 Folio 33 more fully described in the Schedule hereto AND WHEREAS by Declaration of Trust dated the 20th April 1928 it was declared that the said Corporate Trustee held the said land upon trust to permit the same to be used for the purposes of a Church Parsonage or Parish Hall or partly for one or partly for another or others of such purposes in connection with the Church of England in the Parish of Springwood at Blaxland AND WHEREAS since the execution of the said Declaration of Trust there has been formed the Provisional District of St. Peter Glenbrook out of the Parish of Springwood and the said land is now situated in the said Provisional District AND WHEREAS the said land is Church Trust Property AND WHEREAS there is erected upon the said land a Church Hall known as St. David's Blaxland AND WHEREAS it is expedient to vary the said trusts as hereinafter appearing AND WHEREAS it is also expedient that a Parsonage be erected upon the said land AND WHEREAS it is necessary and expedient to mortgage the said land for the purpose of erecting the said Parsonage and to further vary the trusts thereof as hereinafter set out 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. By reason of circumstances subsequent to the creation of the trusts to which the lands described in the Schedule hereto are subject it has in the opinion of the said Synod become inexpedient to carry out or observe such trusts.

2. The land described in the said Schedule shall henceforth be held upon trust to permit the same to be used as a site for a Church Parsonage or Parish Hall or partly for one or partly for another or others of such purposes in connection with the Church of England at Blaxland in the Provisional District of St. Peter Glenbrook.

3. By reason of circumstances subsequent to the creation of the said recited trusts it is expedient to mortgage the land described in the Schedule hereto:—

- (i) 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 sums following:—
 - (a) When the power is first exercised a sum not exceeding Two thousand two hundred and fifty pounds (£2,250) Provided that such debt including interest shall be reduced at the rate of not less than One hundred and eighty two pounds (£182) per annum.
 - (b) When the power is subsequently exercised such sum (not exceeding Two thousand two hundred and fifty pounds (£2,250) and subject to such conditions as to repayment as the Standing Committee shall by resolution determine.
- (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 mortgage be conclusive evidence that such resolution was duly passed.

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

- (a) In payment of the costs charges and expenses of and incidental to this Ordinance and of such mortgage or any mortgages executed in pursuance thereof.
- (b) Subject thereto the balance shall be paid to the Churchwardens of the said Provisional District of St. Peter Glenbrook to be applied by them in and towards the cost of erection a Parsonage upon the said land.

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5. The Churchwardens for the time being of the Provisional District of St. Peter Glenbrook 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 to be forwarded to the Diocesan Secretary giving details of the original amount borrowed, the amounts paid off and the balance owing.

6. This Ordinance shall be styled and cited as the "St. Peter's Glenbrook Mortgaging Ordinance 1953."

SCHEDULE.

All that piece of land having a frontage of 159' 11" to Taringha Street Blaxland in the Shire of Blaxland being Lots 30, 31 and 58 on Deposited Plan No. 6839 being the whole of the land in Certificate of Title Volume 2827 Folio 33.

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

S. H. DENMAN,
Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 29th day of June, 1953.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop,
Commissary for Archbishop of Sydney.

1/7/1953.