

ST. PETER'S UNANDERRA AND ALL SAINTS FIGTREE  
MORTGAGING ORDINANCE 1982

No. 24 1982

AN ORDINANCE to authorise the mortgage of certain land situate at Figtree and at Unanderra in the City of Wollongong Parish of Wollongong County of Camden 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 the registered proprietor in fee simple of the lands described in the Schedule hereto upon trust to permit the same to be sold and to apply the proceeds of sale in the manner set out in All Saints Church Figtree Land Sale Ordinance 1982 and St. Peter's Unanderra Land Sale Ordinance 1982 AND WHEREAS it is expedient that pending the sale of the said lands the same be mortgaged or charged to secure an advance of up to \$110,000 and for the proceeds to be applied towards the cost of erection of a church, church hall, residence for a minister, assistant to the minister or person employed by the Churchwardens, church office, sunday school and car park on property presently held in the name of the Corporate Trustee situated at Gibsons Road, Figtree or wholly or partly towards one or more of such objects and otherwise 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 HEREBY DECLARES ORDAINS DIRECTS AND RULES as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the Schedule hereto are held it is expedient that such lands or part thereof be mortgaged or charged.
2. (i) The Corporate Trustee is hereby empowered to

mortgage or charge from time to time the whole or any part or parts of the said lands for the purpose of borrowing the sums following:-

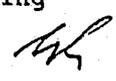
- 30 (a) When the power is first exercised a sum not exceeding One hundred and ten thousand dollars (\$110,000).
- (b) When the power is subsequently exercised such sum not exceeding Two hundred and fifty thousand dollars (\$250,000) as the Standing  
35 Committee may by resolution determine.

Provided that whenever the power is exercised such advance shall be subject to such repayment and such interest as the Corporate Trustee may determine.

40 (ii) Any renewal of a mortgage or charge shall be deemed to be a subsequent exercise of the power.

(iii) A document purporting to be certified by the Archbishop or Diocesan Secretary as a copy of any such resolution shall in favour of a mortgagee be conclusive evidence that such resolution was duly passed.

45 3. The proceeds of any mortgage or charge hereby authorised shall be applied by the Corporate Trustee as follows:-

- 50 (i) When the power is first exercised in payment of the cost of erection of a church, church hall, residence for a minister, assistant to the minister or person employed by the Churchwardens, church office, sunday school and car park on property presently held in the name of the Corporate Trustee situated at Gibsons Road, Figtree or wholly or partly towards one or more of such objects.
- (ii) When the power is subsequently exercised in payment of the principal interest and costs of and incidental to the discharge of any existing
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mortgage or charge or the renewal thereof or of any new mortgage or charge or for such other purpose or purposes not inconsistent with the trusts of the said lands as the Standing Committee may by resolution determine.

(iii) Any mortgagee advancing moneys pursuant to the provisions of sub-clause (i)<sup>or (ii)</sup> of this clause is hereby authorised to pay the same direct to the Churchwardens for the time being of All Saints Church Figtree or as they may direct in writing.

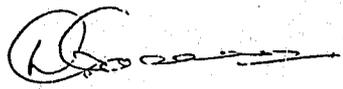
4. The Churchwardens for the time being of All Saints Church Figtree shall within seven (7) days of the date of holding the annual vestry meeting during such time as any money is owing to any mortgagee pursuant to this Ordinance cause an account to be forwarded to the Diocesan Secretary giving details of the original amount or amounts from time to time borrowed the amount paid off and the balance owing.
5. This Ordinance may be cited as the "St. Peter's Unanderra and All Saints Figtree Mortgaging Ordinance 1982".

#### SCHEDULE

ALL THAT piece or parcel of land situate at Figtree in the City of Wollongong Parish of Wollongong and County of Camden being Lots 1 and 2 in Deposited Plan 600481 having a frontage to Princes Highway, Figtree and being the whole of the land in Certificates of Title Volume 14189 Folios 211 and 212 and

ALL THAT piece or parcel of land situate at Unanderra in the City of Wollongong Parish of Wollongong County of Camden being Lots 205 and 206 in Deposited Plan 32221 having a frontage to Farmborough Road, Unanderra and being the whole of the land in Certificates of Title Volume 9242 Folios 131 and 132.

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 27<sup>th</sup> day of *September* 1982.

*[Handwritten Signature]*  
Secretary

I ASSENT to this Ordinance.

*[Handwritten Signature]*  
Archbishop of Sydney  
~~27/9/1982~~ *et.*

30/9/1982