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*Baulkham Hills with Northmead and Kellyville Mortgage  
Ordinance, 1961.*

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No. 10, 1961.

AN ORDINANCE to authorise the mortgaging of certain land in Thomas Street Northmead in the City of Parramatta and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney is registered as proprietor of an estate in fee simple in the land comprised in Certificate of Title Registered Volume 7955 Folio 192 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Provisional Parish of Baulkham Hills with Northmead and Kellyville but no trusts in writing have been declared concerning the same and it is desired that such trusts be declared AND WHEREAS it is proposed to erect thereon a Church Hall and for such purpose it is necessary and expedient to mortgage the said land to borrow the sum of Six thousand five hundred pounds (£6,500) NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains and Directs as follows:—

1. The land described in the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a church parsonage and parish hall or partly for one and partly for another of such purposes in connection with the Church of England at Northmead in the Provisional Parish of Baulkham Hills with Northmead and Kellyville.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is expedient that the said land be mortgaged.

3. (i) The Corporate Trustee is hereby empowered to mortgage the said land from time to time for the purpose of borrowing the sums following:—

(a) When the power is first exercised a sum not exceeding Six thousand five hundred pounds (£6,500:).

(b) When the power is subsequently exercised such sum not exceeding Six thousand five hundred pounds (£6,500:) as Standing Committee shall by resolution determine.

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PROVIDED that such debt shall be reduced at the rate of not less than One hundred and Fifty pounds (£150:) per annum when the power is first exercised and thereafter at such rate as Standing Committee shall by resolution determine PROVIDED further that no person or corporation advancing money under the provisions of this Ordinance shall be concerned to enquire whether such reductions as aforesaid shall 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 the Secretary of the Standing Committee 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:—

(i) When the power is first exercised in payment of the costs charges and expenses of and incidental to this Ordinance and of any mortgage executed in pursuance thereof and the balance shall be paid to the Churchwardens of St. Luke's Church Northmead who shall apply the same in and towards the erection of a Church Hall on the said land.

(ii) When the power is subsequently exercised in payment of the principal interest and costs of and incidental to the discharge of any existing mortgage or mortgages and the costs and expenses of such further mortgage or mortgages.

5. The Churchwardens for the time being of St. Luke's Church Northmead shall within seven 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 Secretary of the Standing Committee giving details of the original amount borrowed, the amounts paid off and the balance owing.

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6. This Ordinance may be cited as "Baulkham Hills with Northmead and Kellyville Mortgage Ordinance 1961."

**SCHEDULE.**

All that piece or parcel of land situated at Northmead in the City of Parramatta Parish of St. John County of Cumberland having a frontage of 150' to Thomas Street, being Lots 37 and 38 Deposited Plan 9330 and being the whole of the land in Certificate of Title Volume 7955 Folio 192.

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 27th day of March, 1961.

**W. L. J. HUTCHISON,**  
Secretary.

I assent to this Ordinance.

**HUGH SYDNEY,**  
Archbishop of Sydney.

27/3/1961.