

MONA VALE ORDINANCE 1981

No. 27 1981

AN ORDINANCE to authorise
the mortgaging of certain
land and to make provision
for the application ~~from~~ of
the proceeds thereof.

W. D.

WHEREAS:

A. By an Indenture made the 17th day of April, 1906

BETWEEN LOUIS FRANCIS HEYDON and LEON HONREUX of the
one part AND CHURCH OF ENGLAND PROPERTY TRUST DIOCESE
5 OF SYDNEY (hereinafter called the "Property Trust")

of the other part Registered No. 481 Book 801, the land
described in the First Schedule hereto was conveyed to
the Property Trust UPON TRUST to permit the erection
thereon of a Church to be called the Church of St. John
10 the Baptist at Pittwater or the erection thereon of other
Church buildings and to be subject to the regulations
(so far as they may be applicable) contained in "The
Sydney Church Ordinance" or in any other ordinance to be
passed by the Synod of the Diocese of Sydney altering or
15 modifying that ordinance.

B. By an Indenture made the 19th day of June, 1908, between

LOUIS FRANCIS HEYDON of the one part WILLIAM HARRINGTON
PALMER of the second part and THE PROPERTY TRUST of the

third part Registered No. 31 Book 862, the land described
20 in the Second Schedule hereto was conveyed to the Property
Trust UPON TRUST to permit the erection thereon of buildings
for Church Purposes and to be subject to the regulations (so
far as they may be applicable) contained in "The Sydney
Church Ordinance" or in any other ordinance to be passed by
25 the Synod of the said Diocese altering or modifying the same.

D. H. 12

C. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said lands are held, it is expedient that the said lands be mortgaged.

D
GK
GK

30 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 subsequent to the creation of the trusts on which the lands described in the Schedule hereto are held, it is expedient that the said lands be mortgaged.

P

D
GK
GK

35 2. The Property Trust is hereby authorised and empowered to mortgage from time to time the whole or any part of the lands described in the Schedule hereto for the purpose of borrowing such sum as may have been last approved by the Standing Committee by resolution thereof. Any amount borrowed on the security of any mortgage granted pursuant to this Ordinance shall be paid to the churchwardens of the church building known as the Church of St. John the Baptist at Pittwater and shall be applied by them in or towards meeting the whole or any part of the following:-

(a) the cost of extending the said church building,

D
GK
GK

45 (b) ^{repaying} ~~repay~~ the whole or any part of the amount borrowed on the security of any mortgage previously granted pursuant to this Ordinance.

50 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 Clause 2 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

55

was the last resolution passed by the Standing Committee pursuant to this Clause.

60 4. 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.

5. This Ordinance may be cited as "Mona Vale Ordinance 1981".

See next page.

~~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 _____ day of _____ 1981.

.....
Secretary.

I ASSENT to this Ordinance.

.....
Archbishop of Sydney.
/ /1981

Handwritten initials

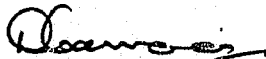
FIRST SCHEDULE

ALL THAT piece or parcel of land containing by admeasurement One rood twenty three and three quarter perches a little more or less being a portion of Lot 18 of Section 1 of the Mona Vale Estate situate at Pittwater in the Parish of Narrabeen County of Cumberland and State of New South Wales Commencing at a point on the North Eastern side of Bay View Road being the Southernmost corner of Lot 17 and bounded thence on the South West by a portion of the Northeastern boundary of Bay View Road being a line bearing South Easterly for One hundred and forty three and one half links thence on the South East by the North Western boundary of Lot 50 and a portion of the North Western boundary of Lot 19 being a line bearing North Easterly for Three hundred and fifty five and One eighth links thence on the North East by the other portion of Lot 18 being a line bearing North Westerly for One hundred and twenty five links and then on the North West by a portion of the South Eastern boundary of Lot 17 being a line bearing South Westerly for Two hundred and eighty four and three eighth links to the point of Commencement being the land comprised in indenture made 17th April 1906 registered No. 481 Book 801.

SECOND SCHEDULE

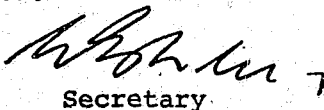
ALL THAT piece or parcel of land containing by admeasurement One rood sixteen and three quarter perches a little more or less being a portion of Lot 18 of Section 1 of the Mona Vale Estate situate at Pittwater Parish of Narrabeen County of Cumberland and State of New South Wales Commencing at a point on the South Western side of Darley Street being the South Eastern Corner of Lot 17 and bounded thence on the North East by part of the Southwestern Boundary of Darley Street being a line bearing South Easterly for One hundred and twenty five links thence on the South East by part of the Northwestern boundary of Lot 19 being a line bearing South Westerly for Two hundred and eighty four and one fifth links thence on the South West by a line bearing North Westerly for One hundred and twenty five links and thence on the North West by part of the South Eastern boundary of Lot 17 being a line bearing North Easterly for Two hundred and eighty four and three eighth links to the point of Commencement being the land comprised in indenture made 19th June 1908 registered No. 31 Book 862.

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 25th day of August 1981.



Secretary

I ASSENT to this Ordinance.

M. L. Louie

Archbishop of Sydney

31/8/1981.