
St. Andrew's Wahroonga Mortgage Ordinance, 1968.

No. 3, 1968.

AN ORDINANCE to authorise the mortgaging of certain land at Wahroonga in the Municipality of Ku-ring-gai and to provide for the application of the proceeds of the advance.

WHEREAS Church of England Property Trust (Diocese of Sydney) (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Parish of St. Andrew Wahroonga upon trust to permit the same to be used for a Church School and Rectory or any or either of them or any other building in connection therewith to be erected on the said land AND WHEREAS it is expedient that the land described in the Schedule be mortgaged for the purpose of borrowing the sum of Twenty seven thousand dollars (\$27,000) to be applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS AND DIRECTS as follows:—

1. The Corporate Trustee is hereby empowered from time to time to mortgage the land described in the Schedule for the purpose of borrowing the sums following:—

- (i) (a) When the power is first exercised a sum not exceeding Twenty seven thousand dollars (\$27,000).
- (b) When the power is subsequently exercised such sum not exceeding Twenty seven thousand dollars (\$27,000) as Standing Committee shall by resolution determine.

PROVIDED that such debt shall be reduced at the rate of Three thousand six hundred dollars (\$3,600) per annum principal and interest 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 moneys under the provisions of this Ordinance shall be concerned to enquire whether such reductions 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 Standing Committee of the said Diocese as a copy of any such Resolution shall in favour of a

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mortgagee or any person or corporation claiming under the mortgage be conclusive evidence that such resolution was duly passed.

2. 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 or charge executed in pursuance thereof and the balance shall be paid first in repayment of the existing loan by the Mutual Life & Citizens Assurance Company Limited to the said Parish and secondly to the Churchwardens for the time being of St. Andrew's Church Wahroonga to be applied by the Church Committee for such renovations and repairs to the Rectory as the Committee may determine.

(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 the costs and expenses of such further mortgage or mortgages or for such other purpose or purposes as the Standing Committee shall by resolution determine.

3. The Churchwardens for the time being of St. Andrew's Wahroonga 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 Standing Committee giving details of the original amount borrowed, the amounts paid off and the balance owing.

4. This Ordinance may be cited as "St. Andrew's Wahroonga Mortgage Ordinance 1968".

SCHEDULE

All that piece or parcel of land situated at Wahroonga in the Municipality of Kur-ring-gai Parish of Gordon County of Cumberland containing 1 rood 29½ perches having a frontage to Water Street of 154' 1½" by depth of 121' 2" on the east and 121' 3" on the west with a rear width of 158' 8¼" being Lot B MPS (R.P.) No. 39202 and part of the land in Certificate of Title Volume 1207 Folio 174.

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

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 26th day of February, 1968.

F. A. JOHNSON,
Acting Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

26/2/1968.