

---

*St. Barnabas Chatswood Mortgage, 1928.*

---

**No. 5. 1928.**

AN ORDINANCE to authorise the Church of England Property Trust Diocese of Sydney to mortgage certain land at Chatswood and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the said Trust) is registered as the proprietor of the whole of the land comprised in Certificate of Title Registered Volume 3875 Folio 88 also the whole of the land comprised in Certificate of Title Registered Volume 3875 Folio 89.

AND WHEREAS by the "St. Barnabas Chatswood Mortgaging Ordinance 1926" it was provided inter alia that the lands described in the schedule thereto being the whole of the land comprised in the said Certificate of Title Registered Volume 3875 Folio 88 and formerly part of the lands comprised in Certificate of Title Registered Volume 2818 Folio 88 and Certificate of Title Registered Volume 3476 Folio 247 might from time to time be mortgaged to secure the repayment of a sum not exceeding Nine hundred pounds together with interest on such moneys and all costs charges and expenses of and incidental to borrowing such moneys and of the Ordinance now in recital and that the amount or amounts so to be from time to time obtained after deducting thereout the costs charges and expenses aforesaid should be applied for or towards the payment of the costs of the erection of a rectory or residence for the Clergyman in charge of the said District of St. Barnabas on the said land so to be mortgaged.

AND WHEREAS in pursuance of the said recited Ordinance the whole of the land described in the said Certificate of Title Registered Volume 3875 Folio 88 was mortgaged to the Bank of New South Wales under Memorandum of Mortgage dated the fifteenth day of March 1926 Registered Number B331808 to secure the repayment of Nine hundred pounds and interest.

AND WHEREAS in pursuance of the said recited Ordinance a rectory or residence for the clergyman in charge of the said

District of St. Barnabas has been erected on the last mentioned land.

AND WHEREAS no permanent Church has ever been erected for the said district of St. Barnabas and it is now considered expedient to build a Church.

AND WHEREAS in order to pay for the same it is necessary that money should be raised on the said land and buildings erected and to be erected thereon and to secure the repayment of all moneys so borrowed as aforesaid with interest thereon and also all moneys required to discharge the said existing mortgage.

AND WHEREAS it is expedient that an advance or advances of money not exceeding in the aggregate the sum of five thousand pounds should be obtained upon the security of the said lands and buildings for the purposes aforesaid.

AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said Church Trust Property it is expedient to mortgage the said land.

Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and the Land Ordinance Procedure and Delegation of Powers Ordinance 1926 and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all other powers thereunto enabling it in the name and in the place of the said Synod declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the trusts of the said Church Trust Property it is expedient to pay off and discharge the existing mortgage on part of the said land and to obtain from time to time an advance or advances of money not exceeding in the aggregate the sum of Five thousand pounds on the security of the whole of the said land which said land is more particularly described in the schedule hereto and upon the buildings erected and to be erected thereon

2. The said land described in the Schedule hereto may be mortgaged from time to time to secure the repayment of such sums not exceeding in the aggregate the sum of Five thousand pounds together with interest on such moneys and all costs charges and expenses of and incidental to borrowing such moneys and this Ordinance. Provided that after the expiration of five years from the passing of this Ordinance the amount secured by mortgage over the said land shall not exceed the sum of Four thousand five hundred pounds and thereafter the said principal sum shall be reduced at the rate of One hundred and fifty pounds a year.

3. The amount or amounts so to be from time to time obtained after deducting the amount required to pay off the existing mortgage and interest and all costs charges and expenses of and incidental thereto and after deducting the costs charges and expenses of and incidental to borrowing such moneys and this Ordinance shall be paid by the said Trust to the Church Wardens for the time being of the Church of St. Barnabas Chatswood whose receipt shall be a sufficient discharge and shall be by them applied for or towards the payment of the costs charges and expenses already incurred and to be incurred in connection with the erection of a new Church on the said land and the extension of the present Parish Hall.

4. This Ordinance shall be styled and cited as "St. Barnabas Chatswood Mortgage Ordinance 1928."

#### THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece of land situated in the Municipality of Willoughby Parish of Willoughby County of Cumberland being the whole of the land comprised in Certificate of Title Registered Volume 3875 Folio 88 and in Certificate of Title Registered Volume 3875 Folio 89.

---

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

A. J. GOULD,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this Twenty-sixth day of March, 1928.

C. R. WALSH,  
Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

27th March, 1928.