
St. Chad's Putney Land Sale and Mortgage Ordinance 1964

No. 14, 1964

AN ORDINANCE to authorise the sale of certain land at Putney in the Municipality of Ryde, to authorise the mortgaging of certain other land at Putney, to provide for the application of the proceeds of such sale and mortgage and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 3598 Folio 90 more particularly described in the first Schedule hereto AND WHEREAS by Declaration of Trust dated 4th April 1955 the Corporate Trustee declared that it held the said land upon trust to permit the same to be used for a Church, Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England at St. Chad's Putney in the Parish of St. Anne's Ryde AND WHEREAS the said land was purchased as a site for the erection of a residence for the Assistant Minister of the said Parish but is still vacant AND WHEREAS by Contract of Sale dated 8th May 1964 made between George Kenneth Fisher and Eileen Moreland Fisher as vendors of the one part and the Corporate Trustee as purchaser of the other part the Corporate Trustee has contracted to purchase the land described in the second Schedule hereto for the sum of Seven thousand pounds (£7,000) for use as a residence for the Assistant Minister of the said Parish in lieu of the land firstly hereinbefore mentioned AND WHEREAS for the purpose of providing the purchase money for the completion of the said contract it is expedient that the land described in the first Schedule be sold and the land described in the second Schedule be mortgaged for a sum not exceeding Three thousand five hundred pounds (£3,500) NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES RULES AND ORDAINS as follows :-

1. By reason of circumstances which have arisen subsequent to the trusts upon which the land described in the first Schedule is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold.

2. The Corporate Trustee is hereby empowered to sell the said land by public auction or private contract at such time at such

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price and upon such terms and conditions as it may think fit freed from the said trusts.

3. (i) The Corporate Trustee is empowered to mortgage from time to time the land described in the second Schedule for the purpose of borrowing the sums following:-

- (a) When the power is first exercised a sum not exceeding Three thousand five hundred pounds (£3,500).
- (b) When the power is subsequently exercised such sum not exceeding Three thousand five hundred pounds (£3,500) as the Standing Committee shall by resolution determine.

PROVIDED that such debt shall be reduced at the rate of not less than Four hundred and Twenty pounds (£420) 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 as aforesaid have been made.

- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) Any document purporting to be certified by the Archbishop or Diocesan Secretary 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 the sale of the said land shall after paying thereout all outgoings to which it is subject and the costs of and incidental to this Ordinance and the sale and transfer of the land in pursuance thereof be applied towards the purchase of the land described in the second Schedule hereto.

5. The proceeds of the mortgage hereby authorised shall after paying the costs of and incidental to such mortgage be also applied towards the said purchase.

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6. The Churchwardens of St. Chad's Church Putney 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 Diocesan Secretary giving details of the original amount borrowed, the amounts paid off and the balance owing.

7. This Ordinance may be cited as "St. Chad's Putney Land Sale and Mortgage Ordinance 1964."

FIRST SCHEDULE

ALL THAT piece or parcel of land situated at Putney in the Municipality of Ryde Parish of Hunters Hill County of Cumberland having a frontage of about 49' to Morrison Road by depth along Douglas Street of about 149' 7" being Lot 97 D.P. 8902 and the whole of the land in Certificate of Title Volume 3598 Folio 90.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated in the Municipality, Parish and County aforesaid having a frontage of 56' 3½" to Delange Road by depth of about 145' being Lot 7 D.P. 8902 and the whole of the land in Certificate of Title Volume 3475 Folio 75.

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

H. G. S. BEGBIE,
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of June 1964.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

HUGH SYDNEY,
Archbishop of Sydney.

29/6/1964.