

ST. LUKE'S CONCORD-BURWOOD DECLARATION
OF TRUSTS AND MORTGAGING ORDINANCE 1983

NO. 13 1983


AN ORDINANCE to declare the trusts upon which certain land is held, to authorise the mortgaging thereof and to provide for the application of the mortgage advance.

WHEREAS:

- A. Anglican Church Property Trust Diocese of Sydney (hereinafter called "the corporate trustee") is registered as proprietor of the land described in the Schedule.
- 5 B. The land is church trust property held for the sole benefit of the Parish of St. Luke's Concord-Burwood but no trusts in writing have been declared concerning same.
- C. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said land is held it is expedient that the trusts be declared and that the
- 10 land be mortgaged as hereinafter provided.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the Synod HEREBY ORDAINS as follows:-

- 15 1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule is held it is expedient that the land be mortgaged.
- 20 2. (1) The corporate trustee is hereby empowered to mortgage from time to time the whole or any part of the land described in the Schedule for the purpose of borrowing such sum as may have been last approved by the Standing Committee by resolution thereof.
- 25 (2) The amount borrowed on the security of any mortgage granted pursuant to this ordinance shall be paid to the churchwardens of St. Luke's Concord-Burwood




and, after the costs of and incidental to this ordinance and to every such mortgage have been met therefrom, shall be applied for the purpose of improvements and repairs to parish buildings or for such other purpose in the Parish of Concord-Burwood (being not inconsistent with the trusts on which the said land is held) as the Standing Committee may have last approved by resolution thereof.

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

3. 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.

4. The land described in the Schedule shall be held upon trust for a:

- (a) Church
 - (b) Residence for a minister, assistant to the Minister or person employed by the churchwardens
 - (c) Hall or halls
 - (d) School or other place of assembly
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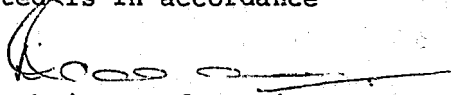
or partly for one or another or others of those purposes or any other purpose ancillary thereto in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the parish or other ecclesiastical district of St. Luke's Concord-Burwood or any parish or ecclesiastical district into which it may subsequently be formed or form a part.

5. This Ordinance may be cited as "St. Luke's Concord-Burwood Declaration of Trusts and Mortgaging Ordinance 1983".

THE SCHEDULE

ALL THAT land being Lot 2 in Deposited Plan 538607 at Burwood in the Municipality of Concord Parish of Concord and County of Cumberland being the whole of the land comprised in Certificate of Title Volume 11655 Folio 1.

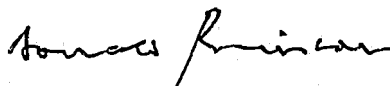
I CERTIFY that the Ordinance as printed is in accordance with the Ordinances as reported.


Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the ^{20th} day of ^{March} 1983.


Secretary

I ASSENT to this Ordinance.


Archbishop of Sydney
20 / 5 / 1983