
*St. Martin's Blakehurst Mortgage and Declaration of Trust
Ordinance 1967*

No. 17, 1967.

AN ORDINANCE to declare the trusts upon which certain land in Centre Street Blakehurst in the Municipality of Kogarah is to be held to authorise the mortgaging of such land and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the purchaser under a certain Contract dated 25th May, 1967 and made between Warren Cook Richardson and Myrtle Richardson as Vendors of the one part and the Corporate Trustee as Purchaser of the other part for the purchase of the land comprised in Certificate of Title Volume 4049 Folio 108 more particularly described in the Schedule hereto for the sum of Fifteen thousand five hundred and fifty dollars (\$15,550) AND WHEREAS the said land together with the residence erected thereon is being acquired as a residence for the Minister for the proposed Provisional District of St. Martin Blakehurst AND WHEREAS it is expedient to declare the trusts upon which the said land will be held AND WHEREAS it is necessary that the said land be mortgaged to provide funds for the completion of the said purchase NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

1. The land described in the Schedule hereto shall upon the Completion of the purchase thereof be held by the Corporate Trustee upon trust to permit the same to be used as a residence for the Minister in connection with the Church of England in Australia at Blakehurst or any Provisional District, Provisional Parish or Parish into which St. Martin's may subsequently be formed.

2. (i) The Corporate Trustee is hereby authorised and empowered to mortgage the said land for the purpose of borrowing:-

(a) When the power is first exercised a sum not exceeding Twelve thousand five hundred dollars (\$12,500).

(b) When the power is subsequently exercised for such sum not exceeding Twelve thousand five hundred dollars (\$12,500) as Standing Committee shall by resolution determine PROVIDED that such debt shall be reduced when the power is first exercised at the rate of One thousand one hundred and seventy six

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dollars (\$1,176) per annum principal and interest and when the power is subsequently exercised at such rate as Standing Committee shall by resolution determine. Provided further that no person or corporation advancing moneys under this Ordinance shall be concerned to enquire whether such reductions as aforesaid 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 Diocesan Secretary 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.

3. The proceeds of any mortgage hereby authorised shall be applied by the Corporate Trustee as follows:-

- (i) When the power is first exercised, firstly in payment of the costs of and incidental to this Ordinance and of any mortgage in pursuance thereof and secondly towards the completion of the purchase of the said land under the said recited contract.
- (ii) When the power is subsequently exercised in payment of the principal interest and costs of discharging any existing mortgage or of the renewal or extension thereof or any new mortgage or charge executed pursuant thereto.
- (iii) Any mortgagee advancing moneys to the Corporate Trustee pursuant to the provisions of sub-clause (i) of this clause is hereby authorised to pay the same to the Churchwardens for the time being of St. Martin's Church of England Blakehurst.

4. The Churchwardens for the time being of St. Martin's Church Blakehurst shall within seven days of the date of holding the annual vestry meeting of such church 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 the details of the original amount borrowed the amounts paid off and the balance owing.

5. This Ordinance may be cited as "St. Martin's Blakehurst Mortgage and Declaration of Trust Ordinance 1967."

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SCHEDULE

All that piece or parcel of land situated at Blakehurst in the Municipality of Kogarah Parish of St. George County of Cumberland having a frontage of 40 feet to Centre Street by depth of 120 feet being Lot 37 D.P. 11211 and the whole of the land in Certificate of Title Volume 4049 Folio 108 upon which is erected the residence known as No. 9 Centre Street Blakehurst.

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 26th day of June, 1967.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

26/6/1967.