

ST. ALBAN'S LINDFIELD MORTGAGING ORDINANCE 1980

No. 17 1980

AN ORDINANCE to authorise the mortgaging of certain land at Lindfield.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land described in the Schedule hereto.

B. The said land is held upon trust to permit the same to be used as a Church, Parsonage and Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia in the Parish of St. Alban Lindfield and on trust to permit the same to be mortgaged to the extent authorised by the St. Alban's Lindfield Declaration of Trusts and Mortgaging Ordinance 1962.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held, it is expedient that the said land be further mortgaged.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS DIRECTS AND RULES as follows:-

1. This ordinance may be cited as "St. Alban's Lindfield Mortgaging Ordinance 1980".


2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the Schedule hereto is held, it is expedient that the said land be mortgaged.

30 3.(1) The Corporate Trustee is hereby empowered to mortgage from time to time the whole or any part of the said land for the purpose of borrowing the sum of thirty thousand dollars (\$30,000.00) or such other sum as may have been last approved by the Standing Committee by resolution thereof.

35 (2) The amount borrowed on the security of any mortgage granted pursuant to this ordinance shall be paid to the Churchwardens of the church building known as St. Alban's Lindfield and, after the costs of and incidental to this ordinance and to every such mortgage have been met therefrom, shall be applied in or towards meeting the cost of reconstructing the crypt of the said church building or for such other purposes in the Parish of Lindfield (being not inconsistent with the trusts on which the said land is held) as  
40 the Standing Committee may have last approved by resolution thereof.

45 (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  
50 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.

55 4. 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.



SCHEDULE

The land in Certificates of Title Volume 4621 Folio 137 and Volume 9350 Folio 60.

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

*[Handwritten Signature]*

.....  
Chairman of Committees

I CERTIFY that this ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28<sup>th</sup> day of July 1980.

*[Handwritten Signature]*

.....  
Secretary

I ASSENT to this ordinance.

*Mr. L. Doane*  
.....  
Archbishop of Sydney

28/7/80