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*St. Martin's, Killara, Mortgage, 1929.*

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**No. 1. 1929.**

AN ORDINANCE to authorise the Trustees of the Rectory of St. Martin's Parish of Killara to mortgage certain lands at Killara and to provide for the application of the proceeds thereof.

WHEREAS Arthur Cecil Hanson Henry Selkirk and George Cornelius Goodman (hereinafter called Trustees) are registered under the provisions of the Real Property Act 1900 as the proprietors of the whole of the land comprised in Certificate of Title Registered Volume 2039 Folio 135 as joint tenants AND WHEREAS the said land comprised in the said Certificate of Title is held 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 the said purposes in connection with the Church of England in the Parish of Killara AND WHEREAS the said land is mortgaged to Percie Chater Charlton and Leopold Charlton to secure an advance of Two thousand one hundred pounds and there is now due on such mortgage the sum of Eight hundred pounds AND WHEREAS the Church of England Property Trust Diocese of Sydney is registered under the provisions of the Real Property Act 1900 as the proprietor of the land comprised in Certificate of Title Registered Volume 3622 Folio 245 AND WHEREAS the land comprised in Certificate of Title Registered Volume 3622 Folio 245 is held 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 the said purposes in connection with the Church of England in the Parish of Killara AND WHEREAS the said Arthur Cecil Hanson Henry Selkirk and George Cornelius Goodman are registered under the provisions of the Real Property Act 1900 as the proprietors of the whole of the land comprised in Certificate of Title Registered Volume 3490 Folio 172 as joint tenants AND WHEREAS the land comprised in Certificate of Title Registered Volume 3490 Folio 172 is held 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 the said purposes in connection with the Church of England in the Parish of Killara AND WHEREAS

it is considered desirable to build a new Parish Hall partly on the land comprised in the said Certificate of Title Registered Volume 3622 Folio 245 and partly on the land comprised in Certificate of Title Registered Volume 3490 Folio 172 AND WHEREAS in order to pay for the same it is necessary that money should be raised upon mortgage of the said land comprised in Certificate of Title Registered Volume 2089 Folio 135 to secure the repayment of any moneys so borrowed as aforesaid with interest thereon AND WHEREAS it is expedient that an advance or advances of money not exceeding the sum of Two thousand five hundred pounds should be obtained upon the security of the said lands for the purposes aforesaid AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it is expedient to mortgage the said lands 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 or otherwise 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 to which the lands are subject it is expedient to obtain from time to time an advance or advances of money not exceeding the sum of Two thousand five hundred pounds on the security of the lands more particularly described in the Schedule hereto.

2. The lands described in the Schedule hereto and the appurtenances may from time to time be mortgaged for the purpose of raising and securing the repayment of the sum or sums of money authorised to be borrowed as aforesaid Provided that at or before the expiration of Five years from the passing of this Ordinance the Mortgagors shall reduce the amount of their indebtedness secured as aforesaid so that it shall not exceed One thousand five hundred pounds and thereafter shall reduce the said indebtedness at the rate of two hundred pounds a year but no Mortgagor or the Registrar General shall be concerned to see

or enquire into or be affected by notice of any failure on the part of the Mortgagors to reduce the amount of their indebtedness in manner aforesaid.

3. The amount or amounts so to be from time to time raised (after deducting thereout the costs of and incidental to this Ordinance and any mortgage or mortgages executed in pursuance of the powers hereby conferred and also any charge created on the said lands) shall be paid by the said Trustees to the Churchwardens for the time being of the Church of St. Martin in the Parish of Killara (whose receipt shall be a sufficient discharge) and shall be by them applied in or towards payment of the costs of the erection of a hall partly on the land comprised in Certificate of Title Volume 3622 Folio 245 and partly on the land comprised in Certificate of Title Volume 3490 Folio 172.

4. This Ordinance shall be styled and cited as the "St. Martin's Killara Mortgage Ordinance 1929."

THE SCHEDULE REFERRED TO.

All that piece or parcel of land situated at Killara Shire of Ku-ring-gai Parish of Gordon and County of Cumberland containing three roods twenty four and one half perches and being the whole of the land comprised in Certificate of Title Registered Volume 2039 Folio 135.

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-eighth day of January, 1929.

C. R. WALSH,  
Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

30th January, 1929.