
*St. Paul's Belfield Declaration of Trust and
Mortgage Ordinance 1964*

No. 21, 1964.

AN ORDINANCE to authorise the mortgaging of certain land in Burwood Road Belfield in the Municipality of Canterbury and to provide for the application of the proceeds.

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 2806 Folio 38 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Provisional Parish of Belfield but no trusts in writing have been declared concerning the same and it is expedient that such trusts be now declared AND WHEREAS it is proposed to erect a new Church upon part of the said land and for such purpose it is necessary and expedient that the land be mortgaged for the purpose of borrowing a sum not exceeding Fifteen thousand five hundred pounds (£15,500) to be applied towards the cost of such erection NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows:-

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

2. (i) The Corporate Trustee is empowered to mortgage from time to time the said land for the purpose of borrowing the sums following:-
- (a) When the power is first exercised a sum not exceeding Fifteen thousand five hundred pounds (£15,500).
 - (b) When the power is subsequently exercised such sum not exceeding that abovementioned as Standing Committee shall by resolution determine.

PROVIDED that such debt shall be reduced at the rate of not less than One hundred and thirty five pounds (£135) per month to include principal and interest when the power is first exercised and thereafter at such rate as Standing Committee shall by resolution determine

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PROVIDED FURTHER that no person or corporation advancing moneys under the provisions of this Ordinance shall be concerned to enquire whether such reduction 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) 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.

3. The proceeds of the mortgage hereby authorised shall after paying thereout the costs of and incidental to this Ordinance and of such mortgage shall be paid to the Churchwardens for the time being of St. Paul's Church Belfield who shall apply the same towards the costs of erection of a new church on part of the said land.

4. The Churchwardens of St. Paul's Church Belfield 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.

5. This land described in the schedule hereto shall subject to the said mortgage be 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 such purposes in connection with the Church of England in Australia in the Provisional Parish of Belfield or any Parish into which it may subsequently be formed.

6. This Ordinance may be cited as "St. Paul's Belfield Declaration of Trust and Mortgage Ordinance 1964."

SCHEDULE

ALL THAT piece or parcel of land situated in the Municipality of Canterbury Parish of St. George County of Cumberland having a frontage of 200' to Burwood Road Belfield by depth of 150' containing 2 roods 30 perches being Lots 5 to 8 inclusive of Section G D.P. 8832 and the whole of the land in Certificate of Title Volume 2806 Folio 38.

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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 27th day of July 1964.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

27/7/1964.

HUGH SYDNEY,
Archbishop of Sydney.