
*St. Anne's Strathfield with Homebush Mortgaging
Ordinance 1951.*

No. 11, 1951.

AN ORDINANCE to repeal St. Anne's Strathfield with Homebush mortgaging Ordinance No. 25, 1939. And to authorise the mortgaging of certain lands situate at Strathfield in the County of Cumberland Parish of Concord and Municipality of Strathfield. And to provide for the application of the proceeds thereof.

WHEREAS it is expedient that St. Anne's Strathfield with Homebush Mortgaging Ordinance 1939 be repealed. AND WHEREAS the lands mentioned in the Schedules hereunder (hereinafter called the said lands) are vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees,

AND WHEREAS the lands described in the first Schedule hereto are held by the Corporate Trustees upon trust to permit the same to be used for a Church and Church of England School or Parish Hall or partly for one or partly for another or others of such purposes in connection with the Church of England in the Parish of St. Anne's Strathfield with Homebush.

AND WHEREAS there is at present erected upon the land described in Part I of the First Schedule hereto the Church of St. Anne in the said Parish and there is also erected on such land the Parish Hall of the said Parish.

AND WHEREAS there is at present erected on the land described in the Second Schedule hereto a rectory.

AND WHEREAS the said lands are Church Trust Property.

AND WHEREAS it is expedient to declare the trusts in respect to the land described in the Second Schedule hereto.

AND WHEREAS it is expedient to enlarge and renovate the said Parish Hall.

AND WHEREAS it is expedient to repair the roof of the Church of St. Anne Strathfield with Homebush.

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AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it has become inexpedient to carry out and observe such trusts insofar as the same are hereby varied.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Ordains and Declares as follows:—

1. St. Anne's Strathfield with Homebush Mortgaging Ordinance 1939 is hereby repealed.

2. By reason of circumstances subsequent to the creation of the said trusts it has become inexpedient to carry out and observe such trusts insofar as the same are hereby varied and it is expedient that such trusts be varied accordingly.

3. The whole of the said lands shall 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 other of such purposes in connection with the Church of England in the Parish of St. Anne Strathfield with Homebush.

4. The whole of the lands described in the Second Schedule hereto may be mortgaged for the purposes of borrowing the sums following:—

(a) When the power is first exercised a sum not exceeding Eight thousand pounds (£8000).

(b) When the power is subsequently exercised such sum as the Standing Committee shall by resolution determine. Provided that such debt shall be reduced at the rate of not less than Fifty pounds (£50) per annum after the power is subsequently exercised.

(c) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.

(d) A 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.

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5. The proceeds of any mortgage authorised by Section 4 shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and such Mortgage and subject thereto the balance shall be paid to the Churchwardens for the time being of the Parish of St. Anne Strathfield with Homebush (whose receipt shall be a sufficient discharge therefor) and who shall apply such money in and towards the cost of enlarging and renovating the said Parish Hall and repairing the roof of the Church of St. Anne Strathfield with Homebush.

6. The Churchwardens for the time being of the Church of St. Anne Strathfield with Homebush shall within seven days of the date of holding 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 amounts paid off and balance owing.

7. This Ordinance may be cited as "St. Anne's Strathfield with Homebush Mortgaging Ordinance 1951."

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

PART I.

All that piece or parcel of land situate in the Parish of Concord in the County of Cumberland Colony of New South Wales and containing by admeasurement (be the same more or less) One rood and twenty-three and one-half perches being Lot One and part of Lot Two of Section Two of the Bathampton Estate at Homebush commencing at the north-west corner of Allotment Number One of Section Two of the said Estate and bounded thence on the west by the Homebush Road being a line running south One hundred feet thence on the south-east by a line bearing north-easterly parallel to Beresford Street Two hundred and thirty-five feet four inches or thereabouts to a point on the north-east boundary of Allotment Number Two of the same Section thence on the north-east by part of the north-east boundary of that Allotment and in continuation by the north-east boundary of Allotment Number One being in all a line bearing north-westerly eighty-three feet three inches to the northernmost corner of that Allotment and on the north-west by the North-West boundary of that Allotment being a line bearing south-westerly One hundred and eighty feet to the point of commencement.

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Also all that piece or parcel of land situate in the Parish of Concord in the County of Cumberland in the Colony of New South Wales and containing by admeasurement (be the same more or less) Twenty and one-quarter perches. Commencing at the north-west corner of Allotment Number One of Section Two of the Bathampton Estate at Homebush and bounded thence on the south-east by the north-west boundary of that Allotment (being a line running north-easterly parallel to Beresford Street) One hundred and eighty feet to the northernmost corner thence on the north-east by a line bearing north-westerly thirty-three feet being a continuation of the north-east boundary of Allotment Number One aforesaid to a point on the south-east side of William Russell's five and a half perches thence on the north-west by part of that boundary being a line bearing south-westerly one hundred and fifty-eight feet to Homebush Road and on the west by Homebush Road being a line running south Thirty-nine feet eight inches to the point of commencement being the whole of the land comprised in Conveyance dated the Third day of September One thousand eight hundred and ninety-one and made between William Russell of the first part William Russell the Younger of the second part and William Beaumont John Docker and John Booth Jones of the third part and Registered Number 988 Book 469.

PART 2.

All that piece of land situate at Strathfield in the Parish of Concord and County of Cumberland containing one perch being the whole of the land comprised in Certificate of Title dated the Twenty-eighth day of October One thousand eight hundred and ninety-one Volume 1034 Folio 30.

THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate in the Parish of Concord County of Cumberland in the State of New South Wales being Lot Three and part of Lot Two of Section Two of the Bathampton Estate. Commencing at the southernmost corner of Lot Three aforesaid distant about Two hundred and forty eight feet four inches from the north-eastern intersection of Homebush Road with Albert Road and bounded thence on the West by Homebush Road being a line running North One hundred and

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thirty five feet six inches or thereabouts to the Southern corner of land conveyed by William Russell to the Trustees of St. Anne's Church thence on the North West by that land being a line running North-Easterly Two hundred and thirty five feet four inches or thereabouts to a point on the North East boundary of Lot Two thence on the North East by a line running South Easterly being part of the North East boundary of Lot Two and the North-east boundary of Lot Three one hundred and twelve feet nine inches or thereabouts to the Easternmost corner of Lot Three aforesaid and on the South-east by the South Eastern boundary of that Lot being a line running South-Westerly Three hundred and ten feet to the point of commencement.

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

W. G. HILLIARD,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 25th day of June, 1951.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.
5/7/1951.