
St. George's Earlwood Mortgaging Ordinance 1953.

No. 28, 1953.

AN ORDINANCE to authorise the mortgaging of certain land at Earlwood in the Municipality of Canterbury and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor of the land comprised in Certificate of Title Registered Volume 2602 Folio 194 and Registered Volume 3274 Folio 64 as more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Parish of St. George Earlwood but no trusts in writing have been declared concerning the same AND WHEREAS it has become necessary to erect a new Church on the said land and for such purpose to borrow the sum of Eleven Thousand pounds (£11,000).

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) (i) The Corporate Trustee is hereby empowered to mortgage from time to time the whole or any part of the land comprised in the Schedule hereto for the purpose of borrowing the sums following:—
 - (a) When the power is first exercised a sum not exceeding Eleven thousand pounds (£11,000).
 - (b) When the power is subsequently exercised such sum not exceeding £11,000 as the Standing Committee shall by resolution determine

PROVIDED that such debt shall be reduced at the rate of not less than £300 per annum when the power is first exercised and thereafter at such rate as the Standing Committee may by resolution determine.

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

St. George's Earlwood Mortgaging Ordinance 1953.

- (iii) 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 mortgage or any person or corporation claiming under the mortgage be conclusive evidence that such resolution was duly passed.

(2) The proceeds of any mortgage hereby authorised shall be applied by the Corporate Trustee as follows:—

- (a) In payment of the costs charges and expenses of and incidental to this Ordinance and such mortgage or any mortgages executed in pursuance of this Ordinance.
- (b) Subject thereto the balance shall be paid to the Rector and Churchwardens for the time being of the said Parish (whose receipt shall be a sufficient discharge therefor) and who shall apply such moneys received in or towards payment or satisfaction of the cost of and incidental to the building and erection of a Church to be used in connection with the said Parish.

(3) The Churchwardens for the time being of the Church of St. George Earlwood 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 the amounts paid off and the balance owing.

(4) This Ordinance shall be styled and cited as the "St. George Earlwood Mortgaging Ordinance 1953."

SCHEDULE.

All that piece or parcel of land situated in the Municipality of Canerbury Parish of St. George County of Cumberland having a frontage of 109' 11½" to Minnamurra Avenue by a depth along St. George's Parade of 136' 3¼" being Lots 13 and 14 on Deposited Plan No. 7868 comprised in Certificate of Title Registered Volume 2602 Folio 194 Also all that piece of land situated as aforesaid having a frontage of 50' to Minnamurra Avenue being Lot 15 on Deposited Plan No. 7868 comprised in Certificate of Title Registered Volume 3274 Folio 64.

St. George's Earlwood Mortgaging Ordinance 1953.

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

W. G. HILLIARD, Bishop.

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the first day of December, 1953.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney

3/12/1953