

*St. John's, Balmain, Land Mortgage.*

11/19/16

AN ORDINANCE to authorise the mortgage of certain land situate at Cove, Thomas and Spring Streets and Birchgrove Road Balmain in the Parish of Petersham County of Cumberland and to provide for the application of the moneys to be advanced.

WHEREAS by Indenture of Conveyance bearing date the eleventh day of October One thousand eight hundred and eighty-one made between Marianne Elizabeth Mort Benjamin Buchanan Lesley George Herring and Charles James Manning of the one part and Albert Elkington William Alston Hutchinson Frederick Ropier Robinson and Ellis Frederick Leathwick Robinson of the other part Registered No. 684 Book 231 the land and hereditaments described in the Schedule hereto were conveyed and assured unto and to the use of the said Albert Elkington William Alston Hutchinson Frederick Ropier Robinson and Ellis Frederick Leathwick Robinson their heirs and assigns for ever as joint tenants AND WHEREAS by Indenture of Mortgage bearing date the sixteenth day of March One thousand eight hundred and eighty-seven made between the said Albert Elkington William Alston Hutchinson Frederick Ropier Robinson and Ellis Frederick Leathwick Robinson of the one part and The Australian Mutual Provident Society of the other part Registered No. 96 Book 360 the said lands were mortgaged to the said Society for the purpose of securing the repayment of the sum of £1400 advanced by the said Society in manner therein appearing AND WHEREAS the said Albert Elkington William Alston Hutchinson Frederick Ropier Robinson and Ellis Frederick Leathwick Robinson were Trustees of the said land for the Church of England in the Parish of St. John Balmain North And the said sum of £1400 was advanced for the purpose of erecting on the said land a Parish Church AND WHEREAS the sum of £540 is still owing in respect of the said recited mortgage in favour of The Australian Mutual Provident Society AND WHEREAS the said Albert Elkington William Alston Hutchinson Frederick Ropier Robinson and Ellis Frederick Leathwick

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Robinson have all died AND WHEREAS by Indenture bearing date the first day of November One thousand nine hundred and sixteen made between Herbert Edgar Robinson and Alfred Charles Dawson of the one part and Charles Gooud Samuel Kirkby James Burns Charles Holland Atkinson and George Frederick Belford Manning of the other part Registered Number 990 Book 1094 the said Charles Gooud Samuel Kirkby James Burns Charles Holland Atkinson and George Frederick Belford Manning were appointed new Trustees of the said land which by the said Indenture was duly vested in them AND WHEREAS by Declaration of Trust bearing date the first day of November One thousand nine hundred and sixteen under the hands and seals of the said Charles Gooud Samuel Kirkby James Burns Charles Holland Atkinson and George Frederick Belford Manning (hereinafter referred to as the said Trustees) the said Trustees declared that they held the said property UPON TRUST (subject to an existing mortgage to The Australian Mutual Provident Society on which there is now due and owing the sum of Five hundred and forty pounds), to permit the same to be used for the purpose of a Church Parsonage or Parish Hall or partly for one and partly for another of such purposes in the Parish of St. John Balmain North AND WHEREAS it is desirable that a Rectory should be erected on the said land for the purposes of the said Parish AND WHEREAS for the purpose of providing for the repayment of the amount owing in respect of the said mortgage to the Australian Mutual Provident Society and the erection of such Rectory it is expedient that an advance of money should be obtained upon the security of a mortgage over the said property THE SYNOD OF THE DIOCESE OF SYDNEY in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

1. That for the purpose of carrying out and giving effect to the said recited trusts it is expedient to obtain an advance of money upon the security of the said land and the buildings erected or to be erected thereon. And the said Trustees are hereby authorised to obtain an advance upon the said security

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of any sum of money not exceeding the sum of One thousand five hundred and forty pounds.

2. That the said land and buildings may be mortgaged to secure the repayment of the money so to be advanced as aforesaid.

3. The amount so to be advanced shall be paid to the said Trustees and shall be applied after the payment thereof of the costs and expenses of and incidental to this Ordinance and the preparation and completion of any mortgage or mortgages to be executed in connection with such advance for or towards the repayment of the balance now owing in respect of the said recited mortgage and the cost of erecting a Rectory on portion of the said land.

4. That the said piece of land and buildings may be mortgaged from time to time for the purpose of raising any sum not exceeding One thousand two hundred and forty pounds with which to discharge the mortgage hereinbefore authorised or any other mortgage or charge given or executed in pursuance of the powers herein contained.

5. This Ordinance may be styled and cited as the "St. John's Balmain Land Mortgage Ordinance of 1916."

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THE SCHEDULE REFERRED TO.

All that parcel of land situate in the Municipality of Balmain Parish of Petersham and State of New South Wales being the whole of Section C Block Nineteen of the sub-division of the Waterview Estate and be the hereinafter mentioned several dimensions all a little more or less and howsoever otherwise the said land is or may be bounded described or distinguished. Commencing at the junction of the South-East side of Birchgrove Road with the North-East side of Spring Street and bounded on the South-Western side by a portion of said side of Spring Street bearing South-Easterly one hundred and twenty-one feet to Thomas Street thence by the North-Western side of that street bearing North-Easterly one hundred and eighty-five feet to Birchgrove Road On the North-East by a portion of that road bearing

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North-Westerly one hundred and eighteen feet six inches to the Street angle and on the North-West by a portion of said Birchgrove Road bearing South-Westerly two hundred and twenty-five feet to the point of commencement.

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

E. W. MOLESWORTH,

*Chairman of Committees.*

We certify that this Ordinance was passed on 7th December, 1916.

E. CLAYDON | *Secretaries of*  
W. R. BEAVER | *the Synod.*

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

14th December, 1916.