
St. Oswald's Haberfield Mortgaging Ordinance 1951.

No. 16, 1951.

AN ORDINANCE authorising the mortgaging of certain land situate at Haberfield in the Municipality of Ashfield Parish of Concord County of Cumberland and State of New South Wales and providing for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees) is the registered proprietor of the land described in the Schedule hereto. AND WHEREAS the Corporate Trustees hold the said land upon trust for the sole benefit and use of the Parish of St. Oswald's Church of England at Haberfield to permit the same to be used as a Parsonage for the occupation of the Minister duly licensed to officiate in the Church of England at Haberfield known as St. Oswald's Church so long as the same should be required for such purpose and thereafter for the sole benefit and use of the said Parish. AND WHEREAS for the purpose of effecting certain alterations extensions and repairs to the parsonage erected on the said land it is necessary and expedient to mortgage the said land.

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. By reason of circumstances subsequent to the creation of the said trusts it is expedient to mortgage the said land comprised in the schedule hereto:—

(a) The Corporate Trustees are 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:—

(i) When the power is first exercised a sum not exceeding Two thousand pounds (£2000): provided that any amount borrowed shall be reduced at the rate of no less than £50 per annum as from 1st October, 1952.

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(ii) When the power is subsequently exercised such sum and upon such conditions as the Standing Committee shall by resolution determine.

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

(c) 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 mortgagee be conclusive evidence that such resolution was duly passed.

2. The proceeds of any mortgage hereby authorised shall be applied by the Corporate Trustees 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 the pursuance of this Ordinance.

(b) Subject thereto the balance shall be applied in or towards the cost of carrying out alterations extensions and repairs to the said Parsonage and all costs and expenses incidental thereto.

3. The Rector and Churchwardens for the time being of the said Parish shall within seven (7) 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 the balance owing.

4. This Ordinance may be styled and cited as the "St. Oswald's Haberfield Mortgaging Ordinance 1951."

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THE SCHEDULE.

All that parcel of land in the Municipality of Ashfield Parish of Concord County of Cumberland containing twenty four and one half perches or thereabouts being part of Lots 292 and 293 on a plan deposited in the Land Titles Office Sydney No. 4354 and being the whole of the land comprised in Certificate of Title dated 19th May 1910 registered Volume 2058 Folio 11.

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 this 24th day of September, 1951.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.
2nd October, 1951.