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*St. Paul Harris Park Mortgage Ordinance 1933*

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No. 1. 1933.

AN ORDINANCE to authorise the mortgaging of certain lands situated in the Provisional District of St. Paul Harris Park and Rose Hill and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS by Deed made the fifteenth day of December one thousand nine hundred and twenty-four between the Permanent Trustee Company of New South Wales Limited and Mary Wills Fraser of the first part, Harrington Burrough Cowper, William Peter Noller and Walter Sigismund Brown of the second part and the Church of England Property Trust Diocese of Sydney of the third part and registered Number 105 Book 1301 the land described in the Schedule hereto was conveyed to the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees) 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 at Harris Park.

AND WHEREAS by reason of circumstances subsequent to the creation of the said Trusts it is expedient to vary the said Trusts and mortgage the said land in manner hereinafter appearing.

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 the circumstances subsequent to the creation of the said Trusts it has become inexpedient to carry out and observe such Trusts in so far as the same are hereby varied.

2. (1) The Corporate Trustees are hereby empowered to mortgage from time to time the whole or any part of the said land for the purposes of borrowing the sums following:—

- (a) When the power is first exercised a sum not exceeding Five hundred pounds;
- (b) When the power is subsequently exercised such sum not exceeding Five hundred pounds as the Standing Committee shall by resolution determine.

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

(3) A document purporting to be certified by the Archbishop or Registrar of the said Diocese as a copy of any such Resolution shall in favor of a mortgagee or any person or corporation claiming under the mortgagee be conclusive evidence that such Resolution was duly passed.

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3. The proceeds of any mortgage hereby authorised shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and the said Mortgage and subject thereto such proceeds shall be applied in and towards the cost of the erection of the Church and School Hall on the said land and the furnishings thereof or the satisfaction of any moneys for the time being secured by any mortgage hereby authorised Provided always and the Corporate Trustees are hereby authorised to pay the whole or any part of the said proceeds of mortgage to the Rector and Churchwardens for the time being of the Church of St. Paul Harris Park whose receipt shall be a sufficient discharge therefor and who shall apply the same for the purposes aforesaid or any of them.

4. This Ordinance may be cited as the St. Paul Harris Park Mortgage Ordinance 1933.

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THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate in the Town of Parramatta Parish of Saint John County of Cumberland and State of New South Wales being Lots Fifteen and Seventeen of Section Three of John Harris's Subdivision of part of James Ruse's thirty acres Grant Experiment Farm Commencing at a point in Crown Street being the North-west corner of Lot Nineteen distant from Elizabeth Street westerly two hundred and sixty-two feet and bounded thence on the East by said Lot Nineteen bearing southerly one hundred and sixty-five feet to Lots Sixteen and Eighteen thence on the south by Lots Sixteen and Fourteen being a line bearing westerly one hundred and thirty-two feet to Lots Twelve and Thirteen thence on the West by a line dividing it from Lot Thirteen aforesaid bearing northerly one hundred and sixty-five feet to Crown Street aforesaid and thence on the North by that street bearing easterly one hundred and thirty-two feet to the point of commencement be the said dimensions all respectively a little more or less.

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

A. J. GOULD,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this twenty-seventh day of February, 1933.

C. R. WALSH,  
Secretary.

I assent to this Ordinance.

3rd March, 1933.

S. J. KIRKBY,  
Bishop, Administrator.