

Castle Hill Mortgage.

AN ORDINANCE to authorise the Mortgage of certain land situate at Castle Hill in the Parish of St. Paul's County of Cumberland and to provide for the application of the proceeds thereof.

WHEREAS by Indenture of Conveyance dated the thirtieth day of July One thousand eight hundred and sixty-two made between Richard Greenup of the one part and Andrew Lewis MacDougall, Samuel Moore, Alfred Sotheren Greenup and the licensed minister for the time being of St. Paul's Church at Castle Hill (thereinafter designated the Trustees) of the other part Regd. No. 806 Book 81 the said Richard Greenup did give grant release and confirm unto the said Trustees in fee simple ALL THAT piece or parcel of land described in the Schedule hereto UPON TRUST for the site of a School for the education of youth according to the principles of the United Church of England and Ireland and also for the site of a residence for the Master of the said School AND WHEREAS by Deed of Consent dated the twenty-fifth day of February One thousand eight hundred and eighty-four under the hands and seals of the said Andrew Lewis MacDougall the said Alfred Sotheren Greenup and John Theophilus Schleicher and Registered No. 994 Book 1257 it was witnessed that the said Andrew Lewis MacDougall, Alfred Sotheren Greenup and John Theophilus Schleicher being a majority of the said Trustees did thereby consent that the property mentioned in the Schedule thereto (which is identical with the land described in the Schedule hereto) should thenceforth become and be vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Trustee) their successors and assigns subject to the trusts in the firstly hereinbefore recited Indenture expressed and contained or so much of the same as were then subsisting undetermined and capable of taking effect. AND WHEREAS in pursuance of the said recited Trusts a School building was erected upon the said land but the same has recently been demolished by reason of its unsuitability for further use for the said purposes. AND WHEREAS it has become desirable to make provision for the erection on the said land or part thereof of a Hall for the purposes hereinafter men-

Castle Hill Mortgage.

tioned. AND WHEREAS the said Hall so to be erected will not be required solely or immediately for the purposes of the hereinbefore recited trust but will be required immediately for the purpose of a Parish Hall AND WHEREAS for the purpose of providing money for the erection of such Hall as aforesaid it has become desirable to mortgage the land described in the Schedule hereto or any part or parts thereof and to apply the moneys so raised by any such mortgage in manner hereinafter provided The Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and Ordinances of the Synod passed in the years One thousand nine hundred and eighteen and One thousand nine hundred and twenty-one appointing the Standing Committee for the purposes of exercising during the recess of the Synod of the powers and functions in the said Ordinances referred to and in pursuance of the powers vested in the said Synod by the Constitution for the management and good government of the Church of England within the State of New South Wales or otherwise in the name and place of, such Synod ordains declares and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said recited Trusts it has become inexpedient to carry out or observe the said trusts in their entirety.

2. It is expedient by reason of circumstances subsequent to the creation of the said recited trusts that the land described in the Schedule hereto or any part or parts thereof and the Hall to be erected thereon should be mortgaged.

3. The said land described in the said Schedule hereto or part or parts thereof together with the Hall to be erected as aforesaid may be mortgaged to secure repayment of any sum or sums of money not exceeding seven hundred pounds. AND the said Trustee is hereby authorised for any of the purposes aforesaid to execute and do all such mortgages deeds assurances and things as may be necessary or as the said Trustee shall think fit and further to make any such mortgage as aforesaid either with or without a power of sale and with and subject to such other powers covenants and provisions as it shall think proper. AND the said Trustee shall have power to renew from time to time and to enter into any agreement for the extension of the

Castle Hill Mortgage.

term of any mortgage so given or any mortgage given in substitution therefor upon such terms as it shall think fit.

4. The said land and buildings may be mortgaged from time to time for the purpose of raising any sum of money which the Trustee may think fit for the purpose of discharging or reducing any mortgage for the time being subsisting over the said land or premises or any part or parts thereof or for the purpose of the payment of interest accrued or accruing in respect thereof or any costs disbursements or other expenses incidental thereto or incurred in connection therewith but so that there shall not be a capital sum exceeding seven hundred pounds at any time charged by any such mortgage. AND the said Trustee is authorised to obtain such advances accordingly and to execute and do all such mortgages deeds assurances and things as the said Trustee shall deem necessary or proper for such purpose and any money raised by virtue of the authority conferred by this Section shall be paid to the said Trustee and applied by it for the purposes in this clause specified.

5. The moneys arising from any such mortgage authorised under Section three shall be applied in manner following that is to say:--The moneys raised by any such mortgage or mortgages as aforesaid shall be paid to the said Trustee and shall be applied in the first place in or towards the costs and expenses of and incidental to this Ordinance and of any mortgage or mortgages executed in pursuance of the powers herein conferred and towards the payment of the Architect's and Surveyor's fees incurred in connection with the erection of the building so to be erected upon the said land as aforesaid and subject thereto shall be applied towards the costs of the erection of a building upon any part of the land described in the Schedule hereto to be used for the purposes hereinafter mentioned.

6. The said land described in the Schedule hereto shall be held UPON TRUST not only for the site of a School for the education of youth according to the principles of the Church of England and for the site of a residence for the Master of the said School but also for a site for a Parish Hall or partly for one and partly for other or others of such purposes.

7. This Ordinance shall be styled and cited as the "St. Paul's Castle Hill Mortgage Ordinance 1922."

Castle Hill Mortgage.

THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land having a frontage to the Great North Road leading from Sydney to Wiseman's Ferry of five rods, by a depth of eight rods and bounded on the West by the said Road on the North by Crane's land on the East by an allotment conveyed to the Bishop of Sydney by the said Richard Greenup for a Burial Ground and on the South by a reserved road one rod wide leading from the main road to the said Burial Ground.

§

Passed as amended,

E. W. MOLESWORTH,
Chairman of Committee.

3rd July, 1922.

I certify that this Ordinance was passed by the Standing Committee this 3rd day of July, 1922.

C. R. WALSH,
Secretary.

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

13th July, 1922.