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*Holy Trinity, Dulwich Hill Mortgaging Ordinance 1955.*

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No. 14, 1955.

AN ORDINANCE to confirm the mortgaging of certain lands situated in Dulwich Hill and to authorise the mortgaging further of the same lands 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 Certificates of Title Registered Volume 1025 Folio 236 and Volume 3286 Folio 93 more particularly described in the Schedule hereto AND WHEREAS by Declaration of Trust by the said Corporate Trustee dated 25th September 1914 the land firstly described in the said schedule is held upon trust to permit the same to be used for the erection and maintenance thereon or on part thereof of a Church or Churches for the celebration of Divine Service according to the rites of the Church of England and the erection and maintenance thereon of a School Hall and Rectory and such other building or buildings as shall be requisite or necessary to be used in connection with the said Church or Churches or otherwise for the purposes of the Church and for other purposes in connection with the Church of England in the Parish of Holy Trinity Dulwich Hill AND WHEREAS there is now erected on the land firstly described in the said Schedule a School Hall in connection with the said Parish AND WHEREAS by Declaration of Trust dated 11th November 1935 by Henry Edward Taylor, Henry Vine Dicker, James McGrath and Percival Samuel Galloway declared that the land secondly described in the said Schedule was held by them upon trust to permit the same to be used for the purpose of a Rectory in connection with the Church of England in the Parish of Holy Trinity Dulwich Hill AND WHEREAS the said land is now vested in the said Corporate Trustee subject to such trust as aforesaid AND WHEREAS by Mortgage dated 4th May 1953 Registered No. F870249 between the said Corporate Trustee of the one part and Australian Mutual Provident Society of the other part the lands described in the said Schedule were mortgaged to secure the sum of One thousand nine hundred and fifty five pounds (£1,955) AND WHEREAS the said principal sum has since been reduced to One thousand eight hundred and five pounds (£1,805) AND WHEREAS it is necessary to effect certain renovations to the Parish Hall erected on the land firstly described in the said

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Schedule AND WHEREAS it is expedient that a further sum of Five hundred pounds (£500) be borrowed on the security of the said land for the purpose of effecting repairs to the said Parish Hall Now the Standing Committee of the Synod of the Diocese of Sydney Ordains and Declares as follows:—

1. By reason of circumstances which have arisen subsequently to the creation of the trusts upon which the lands described in the Schedule hereto are held it is expedient to mortgage further the same:—

The Corporate Trustee is hereby empowered to mortgage further the whole or any part of the said lands for the purpose of borrowing the further sum of Five hundred pounds (£500).

Provided that the total amount secured by the said Mortgage No. F870249 as increased by the additional sum of Five hundred pounds (£500) shall be reduced at the rate of not less than £72 per annum.

2. The proceeds of the further advance 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 of any mortgage or mortgages or variation of mortgage executed in pursuance thereof.
- (b) Subject thereto the balance shall be paid to the Churchwardens for the time being of the Parish of Holy Trinity Dulwich Hill to be applied by them in renovations of and repairs to the Parish Hall in the said Parish.

3. The Churchwardens for the time being of the Parish of Holy Trinity Dulwich Hill 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 "Holy Trinity Dulwich Hill Mortgaging Ordinance 1955."

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THE SCHEDULE.

Firstly, all that piece or parcel of land situate in the Municipality of Marrickville Parish of Petersham County of Cumberland and State of New South Wales containing twenty six and one half perches or thereabouts being Lot 9 and part of Lot 10 of Section 2 on Deposited Plan No. 676 having a frontage of fifty five feet to Herbert Street Dulwich Hill by a depth of one hundred and thirty one feet six inches being the whole of the land comprised in Certificate of Title dated the Eighteenth day of August One thousand eight hundred and ninety-one Registered Volume 1025 Folio 236.

Secondly, all that piece or parcel of land situated as aforesaid being Lot 25 and part of Lots 24 and 26 Section A.D.P. 676 having a frontage of 70' to Herbert Street being the whole of the land comprised in Certificate of Title dated 27th February 1922 Volume 3286 Folio 93.

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

ARTHUR L. WADE.

Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of June, 1955.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

1/7/1955

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