
*Soldiers' Memorial Church of the Resurrection Cabramatta
Mortgaging Ordinance 1950.*

No. 14, 1950.

AN ORDINANCE to authorise the mortgaging of certain land situated at Cabramatta in the Municipality of Fairfield County of Cumberland such lands being more particularly described in the Schedule hereto, and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor of the land described in the Schedule hereto. AND WHEREAS the Corporate Trustee by Declaration dated 7th August 1923 declared that it held inter alia the said land 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 in the Conventional District of Canley Vale and Cabramatta. AND WHEREAS the said Conventional District is now the Parish of Cabramatta and Canley Vale. AND WHEREAS it has become necessary to erect a new Parish Hall upon the said land and for such purpose to borrow upon mortgage thereof the sum of £1,250; 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 recited Trusts it is expedient to mortgage the land comprised in the Schedule hereto.

- (i) The Corporate Trustee is 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 the sums following:—
 - (a) When the power is first exercised a sum not exceeding £1,250.
 - (b) When the power is subsequently exercised such sum as the Standing Committee shall by Resolution determine Provided that such debt shall be reduced at the rate of not less than £100 per annum after the power is subsequently exercised.
- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.

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- (iii) 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 mortgage be conclusive evidence that such Resolution was duly passed.

2. The proceeds of any mortgage 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 such mortgage or any mortgages executed in pursuance of this Ordinance.
- (b) Subject thereto the balance shall be paid to the Rector and Churchwardens for the time being of the said Parish (whose receipt shall be a sufficient discharge therefor) and who shall apply such moneys received in or towards payment or satisfaction of the cost of and incidental to the building and erection of a new Parish Hall to be used in connection with the said Parish.

3. The Rector and Churchwardens for the time being of the Soldiers' Memorial Church of the Resurrection Cabramatta 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 the "Soldiers' Memorial Church of the Resurrection Cabramatta Mortgaging Ordinance 1950."

SCHEDULE REFERRED TO.

All that piece of land having a frontage of One hundred and Sixty four feet and a quarter inch (164' $\frac{1}{4}$ ") to Cumberland Street in the Municipality of Fairfield (formerly Cabramatta and Canley Vale) Parish of St. Luke County of Cumberland being Lot B of a Subdivision of Lots 4 and 5 Deposited Plan 8466 and being the whole of the land comprised in Certificate of Title Volume 6126 Folio 178.

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

(Sgd.) ARTHUR L. WADE,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 22nd day of August, 1950.

(Sgd.) H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

(Sgd.) HOWARD SYDNEY.

24/8/1950.