
*St. Andrew's Parish of Sans Souci Mortgaging Ordinance
of 1950.*

No. 1, 1950.

AN ORDINANCE authorising the mortgaging of certain land on Rocky Point Road at Sans Souci in the County of Cumberland and Parish of St. George 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 registered under the provisions of the Real Property Act 1900 as the proprietor of the whole of the land comprised in Certificate of Title registered Volume 5974, Folio 77 (hereinafter more particularly described in the Schedule hereto),

AND WHEREAS the said land is held 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 Parish of Sans Souci.

AND WHEREAS the said land lies within the boundaries of the Parish of Sans Souci.

AND WHEREAS it is proposed to erect on the said land a residence to be used as a parsonage for the said Parish.

AND WHEREAS by reason of circumstances subsequent to the creation of the said trusts it is 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 recited trusts it is expedient to mortgage the land described in the Schedule hereto and

- (i) The Corporate Trustees are hereby empowered to mortgage from time to time the whole of the land described in the Schedule hereto for the purpose of borrowing the sums following:—

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- (a) When the power is first exercised a sum not exceeding Three thousand five hundred pounds (£3,500).
 - (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 Fifty pounds (£50) per annum to be calculated from the expiration of five years from the date of the original advance.
- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
 - (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 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 pursuance of this Ordinance.
- (b) Subject thereto the balance shall be paid to the Rector and Churchwardens for the time being of the Parish of Saint Andrew Sans Souci (whose receipt shall be sufficient discharge therefor) and who shall apply such moneys received in or towards payment or satisfaction of the cost of and incidental to the erection of the said Parsonage on the said land.

3. The Rector and the Churchwardens for the time being of the said Parish shall within seven days from the date of the holding of 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.

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4. This Ordinance shall be styled and cited as the "St. Andrew's Parish of Sans Souci Mortgaging Ordinance of 1950."

THE SCHEDULE REFERRED TO.

All that piece of land situated in the Municipality of Kogarah Parish of St. George and County of Cumberland containing twenty-four perches or thereabouts being Lot 50 on a Plan deposited in the Land Titles Office Sydney No. 4277 and being the whole of the land comprised in Certificate of Title registered Volume 5974, Folio 77.

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 17th day of February, 1950.

H. V. ARCHINAL
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

1/3/1950.