

No. 8, 1954.

AN ORDINANCE to authorise the mortgaging of certain land situate at Henson Street Summer Hill 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 said land is Church Trust Property held for the sole benefit of the Church of England in the Parish of St. Andrew at Summer Hill AND WHEREAS certain work alterations and additions have been carried out on and to the Church and Church Hall of the said Parish of St. Andrew AND WHEREAS it has become necessary and expedient to mortgage the said land for the purpose of completing the payment for the said work alterations and additions 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 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:—
  - (a) When the power is first exercised a sum not exceeding £8,000.
  - (b) When the power is subsequently exercised such sum or sums not exceeding a total of £8,000 as the Standing Committee shall by resolution determine Provided that such debt shall be reduced at the rate of not less than £500 per annum when the power is first exercised and thereafter at such rate as the Standing Committee may by resolution determine.

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*St. Andrew's Summer Hill Mortgaging Ordinance 1954.*

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- (ii) Any renewal of 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 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:—

- (i) 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.
- (ii) Subject thereto the balance shall be paid to the Churchwardens for the time being of the said Church (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 said work alterations and additions on and to the said Church and Church Hall.

3. The Churchwardens for the time being of the said Church 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 said 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 "St. Andrew's Summer Hill Mortgaging Ordinance 1954."

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THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate at Summer Hill in the Municipality of Ashfield Parish of Petersham and County of Cumberland having a frontage of 60 feet to Henson Street by a depth of 150 feet being part of Lots 1, 2 and 3 of Section

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B in Deposited Plan number 249 and being the whole of the land comprised in Certificate of Title Volume 540, Folio 5, together with the rectory and other improvements erected thereon and known as The Rectory Henson Street Summer Hill.

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

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 29th day of April, 1954.

H. V. ARCHINAL,  
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,  
Archbishop of Sydney.

• 29/4/1954.