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*St. John's Sefton (Birrong) Mortgage Ordinance 1955.*

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No. 30, 1955.

AN ORDINANCE to authorise the mortgaging of certain land at Birrong in the Municipality of Bankstown and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Syney (hereinafter called the Corporate Trustee) is registered as proprietor of the land comprised in Certificate of Title Registered Volume 6764 Folio 50 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Parochial District of St. John Sefton but no trusts have been declared in writing concerning the same and it is expedient to declare the trusts upon which the same is now held AND WHEREAS it is expedient to mortgage the said land for the purpose of erecting a church hall thereon Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod hereby Ordains and Directs as follows:—

1. The land described in the Schedule hereto shall be held by the said Corporate 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 Parochial District of St. John Sefton.

2. By reason of circumstances subsequent to the creation of the trusts upon which the said land is held it is expedient to mortgage the same.

(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 Two thousand eight hundred pounds (£2,800).

(b) When the power is subsequently exercised such sum not exceeding Two thousand eight hundred pounds (£2,800) as the Standing Committee shall by resolution determine.

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Provided that such debt shall be reduced at the rate of not less than One hundred pounds (£100) per annum when the power is first exercised and thereafter at such rate as Standing Committee may by resolution determine Provided Further that no person or corporation advancing moneys under this Ordinance shall be concerned to enquire whether such reductions as aforesaid shall have been made.

(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 mortgage be conclusive evidence that such resolution was duly passed.

3. The proceeds of any mortgage hereby authorised shall be applied by the Corporate Trustee as follows:—

(i) (a) When the power is first exercised in payment of the costs charges and expenses of and incidental to this Ordinance and such mortgage executed in pursuance thereof.

(b) Subject thereto the balance shall be paid to the Churchwardens of St. John's Church Sefton who shall apply such moneys in or towards the erection of a Church or Church Hall on the land described in the said Schedule.

(ii) When the power is subsequently exercised, in payment of the principal interest and costs of and incidental to the discharge of any then existing mortgage and the costs and expenses of such further mortgage or mortgages.

4. The Churchwardens for the time being of the Church of St. John Sefton shall within seven days of the date of holding the Annual Vestry Meeting of such Church during such period 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 balance owing.

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5. This Ordinance may be cited as "St. John's Sefton (Birrong) Mortgage Ordinance 1955."

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THE-SCHEDULE REFERRED TO.

All that piece or parcel of land situated at the corner of Rodd Street and Auburn Road Birrong in the Municipality of Bankstown Parish of Liberty Plains County of Cumberland, being Lot 1 on Deposited Plan No. 19799, having a frontage of 38 ft. to Rodd Street with a splay corner of 16 ft. 11½ ins. with a depth along Auburn Road of 102 ft., being the whole of the land in Certificate of Title Volume 6764 Folio 50.

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

W. G. HILLIARD, Bishop.

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28th day of November, 1955.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

30/11/1955.