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*St. Jude's Randwick Vesting and Mortgage Ordinance 1964*

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No. 16, 1964.

AN ORDINANCE to vest and authorise the mortgaging of certain land at Randwick in the Parish of Alexandria County of Cumberland and to provide for the application of the proceeds of such mortgage.

WHEREAS George Wall Senior, Custom House Agent, William George Whiting, Accountant, and the Reverend William Hough all of Randwick are presently registered as proprietors as Joint Tenants of the land contained in Certificate of Title Volume 1191 Folio 71 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held by the said proprietors as Trustees in pursuance of Declaration of Trust dated the Twentieth day of May 1896 and Registered No. 3604 UPON TRUST for the erection of a School House in connection with the United Church of England and Ireland by law established AND WHEREAS it is expedient that the said land be vested in Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) AND WHEREAS the building erected on part of the said land is used for the Parish Hall in connection with the Parish of St. Jude's Randwick AND WHEREAS it is expedient that the said land be mortgaged to secure a loan to be applied towards the renovation and rebuilding of the organ in the Church of the said Parish of St. Jude's Randwick 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. That the land described in the Schedule hereto be and the same is hereby vested in the Corporate Trustee.
2. (i) The Corporate Trustee is hereby empowered to mortgage the land in the Schedule hereto or any part thereof from time to time for the purpose of borrowing the sums following:-
  - (a) When the power is first exercised a sum not exceeding seven thousand five hundred pounds (£7,500).
  - (b) When the power is subsequently exercised a sum not exceeding seven thousand five hundred pounds (£7,500) as the Standing Committee shall by resolution determine.

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Provided that the debt when the power is first exercised shall be reduced by the sum of nine hundred pounds (£900) per annum and when the power is subsequently exercised at such rate as Standing Committee shall by resolution determine PROVIDED FURTHER that no person or corporation advancing money pursuant to this ordinance shall be concerned to enquire whether such reductions 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 as follows :-

- (i) When the power is first exercised in payment of the costs of or incidental to this ordinance and any mortgage executed in pursuance thereof and the balance shall be paid to the Churchwardens for the time being of St. Jude's Church Randwick who shall apply the same towards the renovation and rebuilding of the organ in the said church.
- (ii) When the power is subsequently exercised in payment of the principal interest the costs of and incidental to the discharge of any then existing mortgage and the costs and expenses of such further mortgage.

4. The Churchwardens for the time being of St. Jude's Church Randwick shall within seven days 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.

5. This Ordinance may be cited as "St. Jude's Randwick Vesting and Mortgage Ordinance 1964."

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SCHEDULE

All that piece or parcel of land situate at Randwick in the County of Cumberland Parish of Alexandria and Municipality of Randwick being Portions 260 and 497 of the said Parish COMMENCING at a point where the North Western building line of Avoca Street meets the Southern building line of Frances Street and bounded thence on the South East by the aforesaid building line of Avoca Street, bearing South twenty one degrees thirty minutes West two chains sixty three links and seven tenths of a link on the South by the Northern boundary of one acre appropriated for a site for a Church of England Church bearing about South eighty nine degrees forty one minutes West about three chains fifty links and one tenth of a link on the West by a line dividing it from part of three acres three roods thirty seven perches appropriated for a Church of England Burial Ground bearing about north forty two minutes West two chains forty five links and two fifths of a link to the aforesaid building line of Frances Street and on the North by that building line of Frances Street bearing North eighty nine degrees forty five minutes East forty nine links and four fifths of a link to the point of commencement and being the whole of the land in Crown Grant Vol. 1191 Folio 71.

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

H. G. S. BEGBIE,  
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 1964.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

29/6/1964.

HUGH SYDNEY,  
Archbishop of Sydney.