

St. Thomas' Auburn Mortgaging Ordinance 1939.

No. 7, 1939.

AN ORDINANCE to authorise the mortgaging of certain lands situate in the Parochial District of St. Thomas Auburn and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS the lands mentioned in the Schedule hereunder (hereinafter called the said land) are vested in the Church of England Property Trust Diocese of Sydney.

AND WHEREAS the said land is Church Trust Property.

AND WHEREAS it is expedient to declare the trusts in respect of the said land as hereinafter mentioned.

AND WHEREAS there is at present erected on portion of the said land the Church of St. Thomas.

AND WHEREAS it is expedient to build forthwith on other portions of the said lands a Rectory and Parish Hall and to extend the said Church.

AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it has become inexpedient to carry out and observe such trusts insofar as the same are hereby varied.

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 trusts it has become inexpedient to carry out and observe such trusts insofar as the same are hereby varied and it is expedient that such trusts be varied accordingly.

2. The whole of the said land shall be held upon trust to permit the same to be used for a Church Rectory or Parish Hall or partly for one or partly for another or others of such purposes in connection with the Church of England in the Parochial District of St. Thomas Auburn.

3. The said land or any part thereof may be mortgaged for the purposes of borrowing an amount not exceeding Fifteen hundred pounds (£1500).

4. Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.

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5. The proceeds of any mortgage authorised by Section Three shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and such mortgage and subject thereto such proceeds shall be applied in and towards the cost of erecting a Rectory and Parish Hall on portions of the said land and of carrying out extensions to the Church building.

6. The Churchwardens for the time being of St. Thomas' Church Auburn 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 amounts paid off and the balance owing.

7. This Ordinance may be cited as "St. Thomas' Auburn Mortgaging Ordinance 1939."

THE SCHEDULE.

ALL THAT piece of land in the Municipality of Auburn Parish of Liberty Plains County of Cumberland having a total frontage of 160 feet to Provincial Road Auburn by a depth of 140 feet 3 inches and being Lot 69 of Deposited Plan 1897 comprised in Certificate of Title Volume 1527 Folio 189 and Lots 70 71 and 72 of Deposited Plan 1897 comprised in Certificate of Title Volume 1408 Folio 138.

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

R. C. ATKINSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this Twentieth day of May, 1939.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

30th May, 1939.