

Berry Parsonage Mortgage.

8/1895

AN ORDINANCE to authorise the mortgage of certain land situated in the Ecclesiastical Parish of St. Luke Berry in the Diocese of Sydney in the Colony of New South Wales.

(Assented to 2 October, 1895.)

WHEREAS by the two several Indentures of Conveyance dated respectively the 8th day of April 1884 and the 17th day of April 1885 registered respectively as number 10 Book 287 and number 987 Book 307 and expressed to be made between David Berry therein described of the one part and the Church of England Property Trust Diocese of Sydney of the other part certain lands and hereditaments of which the lands and hereditaments intended to be comprised in this Ordinance and described in the Schedule hereto form part were granted and released unto the said Trust and their successors for ever subject to the provisions of an Act of the Governor and Legislative Council of the said Colony 8th William IV. No. 5 upon trust for the erection thereon of a Minister's Dwelling House and a Church for the performance of Divine Service according to the use of the Church in the said Act described as "The United Church of England and Ireland" and for all or any of the purposes provided for in the said Act and to be held managed and dealt with in such manner in all respects as the Synod of the Diocese should by Rule or Ordinance duly passed from time to time direct and appoint And whereas a suitable Minister's Dwelling-House has been erected on and within the boundaries of the land intended to be comprised in this Ordinance and a Church has been erected on other part of the land of which such land forms part but no part of the said Church or of the immediate precincts thereof are within the boundaries of the land

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intended to be comprised in this Ordinance And whereas the said Minister's Dwelling-House was built with loan funds the indebtedness on which now amounts to the sum of four hundred and twenty-five pounds and it is expedient that power should be given to enable the necessary amount to be raised to repay the indebtedness aforesaid and also the expenses of this Ordinance and of all matters auxiliary thereto And whereas the Incumbent and the majority of the Churchwardens and of the Parochial Council of the said Parish and also the lawful personal representatives of the said David Berry who is now deceased have in writing consented to this Ordinance And whereas it appears to the Synod of the said Diocese that it is expedient to obtain an advance of money upon the security of the said lands buildings and hereditaments described in the Schedule hereto for the purpose of carrying out and giving effect to the trusts attached to the erection of the Minister's Dwelling-House. Be it therefore ruled and ordained directed and declared by the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the Church of England Property Act of 1889." That it is expedient to obtain an advance of money upon the security of the said lands buildings and hereditaments described in the Schedule hereto for the purpose of carrying out and giving effect to the trusts attached to the erection of the Minister's Dwelling-House and for the purpose of repaying the indebtedness incurred in the premises and also the expenses of obtaining this Ordinance and of all matters auxiliary thereto and that the parcel of land buildings hereditaments described and comprised in the Schedule hereto may be mortgaged for the sum of four hundred

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and fifty pounds which sum is hereby authorised to be obtained by way of advance on the security of the same and that the sum of four hundred and fifty pounds so to be raised as aforesaid shall be paid to the said Trust and shall be applied for the purposes aforesaid and that the said premises may be mortgaged from time to time for the purpose of raising any sum or sums not exceeding four hundred and fifty pounds which sum shall be paid to the said Trust and shall be applied for the discharge or renewal of the first mentioned Mortgage or any Mortgage or Mortgages which shall have been raised in substitution for the purpose of discharging the same.

THE SCHEDULE

All that piece or parcel of land situate in the Town of Berry in the Parish of Coolangatta County of Camden and Colony of New South Wales be the hereinafter mentioned several dimensions a little more or less forming part of Alexander Berry's four-thousand acre Grant containing three roods thirteen and eight-tenths perches commencing on the Southern building line of Princess Street at a point bearing North eighty-nine degrees four minutes West and distant three hundred and fifty-nine feet four inches from the intersection of that building line with the Western building line of Prince Alfred Street and bounded thence on the East by a line at right angles to Princess Street aforesaid bearing South fifty-six minutes West two hundred and seventy-six feet to the Northern building line of Victoria Street on the South by that building line being parallel with Princess Street bearing North eighty-nine degrees four minutes West one hundred and thirty-two feet on the West by a line at right angles to Victoria Street aforesaid bearing North fifty-six minutes east two hundred and seventy-six feet to the Southern building line of Princess Street

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aforesaid and thence on the North by that building line bearing South eighty-nine degrees four minutes east one hundred and thirty-two feet to the point of commencement.
