

EAST SYDNEY (BURTON STREET) ORDINANCE 1986

NO. 65, 1986

AN ORDINANCE to authorise the mortgaging of certain property known as 118 Burton Street, Darlinghurst

WHEREAS

A. The Property Trust proposes to purchase the real property described in the Schedule hereto.

B. The Property Trust will hold the said property, on the Property Trust purchasing the same, upon trust for establishment and conduct of a residential hostel and counselling centre which said property will be Church Trust Property.

C. The Property Trust needs to borrow moneys to meet part of the price to be paid for the said property.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

1. This ordinance may be cited as "East Sydney (Burton Street) Ordinance 1986".

2. (1) The Property Trust is hereby empowered to mortgage the said property, upon the said property becoming Church Trust Property held for the Diocese, at any time and from time to time thereafter for the purpose of borrowing such sum as may have been last approved by the Standing Committee by resolution thereof.

(2) The amount borrowed on the security of any mortgage granted pursuant to this ordinance shall be paid to the Property Trust and, after the costs of and incidental to this ordinance and to every such mortgage have been met therefrom, shall be applied in or towards the price for the said property or for such other purposes (being not inconsistent with the trusts on which the said property is held) as the Standing Committee may have last approved by resolution thereof.

(3) Any document purporting to be certified by the Archbishop or the Diocesan Secretary of the Diocese as a copy of any resolution of the Standing Committee passed pursuant to this clause shall, in favour of a mortgagee, or any person claiming under a mortgage granted pursuant to this ordinance, be conclusive evidence that such resolution was duly passed and, except where a subsequent certificate pursuant to this clause has been delivered to such mortgagee or person, be conclusive evidence that such resolution was the last resolution passed by the Standing Committee pursuant to this clause.

3. Whilst any money is secured by any mortgage granted pursuant to this ordinance the churchwardens for the time being of St John's Kings Cross in every Statement of Assets prepared pursuant to Clause 41 of the Sydney Church Ordinance 1912 shall disclose the amount so secured on the last day of the financial year to which the Statement of Assets relates.

4. The said land shall be held upon trust for the establishment and conduct of a residential hostel and counselling centre in association with the Parish of East Sydney or any other ancillary

purpose thereto or such other purpose or purposes as the Standing Committee may by resolution determine at the written request of a majority of the Parish Council of the said Parish in connection with the Anglican Church of Australia within the Diocese for the sole benefit of the Parish of East Sydney or any other ecclesiastical district into which it may be formed or of which it may form a part.

SCHEDULE

ALL that land situated at Darlinghurst in the City of Sydney in the Parish of Alexandria and County of Cumberland being the whole of the land comprised in Certificate of Title Volume 8344 Folio 71 together with improvements thereon known as No. 118 Burton Street, Darlinghurst.

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 15th day of December 1986.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
15/12/1986