
*The Home Mission Society Further Mortgaging
Ordinance of 1954.*

No. 20, 1954.

WHEREAS by Contract dated Sixteenth day of June, One thousand nine hundred and fifty four Church of England Property Trust Diocese of Sydney contracted to purchase from Daphne Ann Ashcroft Parbery who thereby contracted to sell to it all that piece of land known as No. 9 Crown Street Harris Park more particularly described in the first part of the First Schedule hereto and upon which a deposit of Five hundred pounds (£500) has been paid AND WHEREAS by Contract dated Twelfth day of July one thousand nine hundred and fifty four Church of England Property Trust Diocese of Sydney contracted to purchase from Clifford Edward Cooper who thereby contracted to sell to it all that piece of land known as No. 61 Prospect Road Summer Hill more particularly described in the second part of the First Schedule hereto and upon which a deposit of Nine hundred pounds (£900) has been paid AND WHEREAS the Commercial Banking Company of Sydney Limited has agreed to advance the sum of Sixteen thousand pounds (£16,000) upon the security of the said properties set out in the first and second parts of the First Schedule together with additional security by way of further mortgages over the properties more particularly described in the Second Schedule hereto AND WHEREAS by Ordinance No. 16 of 1954 styled "The Home Mission Society Mortgaging Ordinance of 1954" it was ordained that it was expedient that the power of mortgage should be granted over the land set out in the first part of the First Schedule in the sum of Six thousand five hundred pounds (£6,500) AND WHEREAS for the purpose of borrowing the said sum of Sixteen thousand pounds (£16,000) it is expedient that the power to mortgage for the said sum of Six thousand five hundred pounds (£6,500) should be repealed AND WHEREAS it is expedient to mortgage the said lands in the First and Second Schedules hereto AND WHEREAS the said properties have been acquired for the purpose of Parish Nursing Homes and/or Hostels in accordance with the provisions of the "Home Mission Ordinance of 1911" AND WHEREAS the property referred to is Church Trust Property Now the Standing Committee in the name and place of the Synod of the Diocese of Sydney ordains and directs as follows:—

1. The Home Mission Society Mortgaging Ordinance of 1954 is hereby repealed.

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2. By reason of circumstances subsequent to the creation of the said trusts it is expedient to mortgage the said lands set out in the First Schedule hereto and to mortgage further the said lands set out in the Second Schedule hereto.

(a) The Corporate Trustee is empowered to mortgage from time to time the whole or any part of the said lands in the First and Second Schedules hereto for the purpose of borrowing

(i) When the power is first exercised under this Ordinance a sum of Sixteen thousand pounds (£16,000);

(ii) When the power is subsequently exercised such sum or sums and upon such terms and conditions and for such purpose or purposes as the Standing Committee shall by resolution determine.

(b) Any renewal of mortgage shall be deemed to be a subsequent exercise of the said power.

(c) 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 Trustees as follows:—

(a) In payment of the cost of purchase of the said land and expenses of and incidental to this Ordinance and such mortgages executed in pursuance of this Ordinance.

(b) Subject thereto the balance shall be paid to The Home Mission Society (otherwise known as The Church Society of the Diocese of Sydney) whose receipts shall be a sufficient discharge therefor and which shall apply such moneys in terms of The Home Mission Society Ordinance of 1911.

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4. This Ordinance may be styled and cited "The Home Mission Society Further Mortgaging Ordinance of 1954."

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

FIRST PART.

All that piece of land situated at No. 9 Crown Street, Harris Park, presently comprised in Conveyance Registered No. 339 Book 2262.

SECOND PART.

All that piece of land situated at No. 61 Prospect Road, Summer Hill presently comprised partly in Conveyance Registered No. 26 Book 2060 and partly being the whole of the land comprised in Certificate of Title Volume 2081 Folio 190.

THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

All that piece of land situated at No. 58 The Boulevard, Petersham being the whole of the land comprised in Certificate of Title Volume 977 Folio 156.

All that piece of land situated at No. 63 Prospect Road Summer Hill being the whole of the land comprised in Certificate of Title Volume 6129 Folio 55.

All that piece of land situated in Marriott Street Redfern being the whole of the land comprised in Certificate of Title Volume 5901 Folio 179.

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

W. G. HILLIARD, Bishop,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of July, 1954.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,
Archbishop of Sydney.

26/7/1954.