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*St. Anne's Como Mortgage Ordinance 1965*

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No. 2, 1965.

AN ORDINANCE to authorise the mortgaging of certain land in Wolger Street, Como in the Shire of Sutherland and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor of the land comprised in Certificate of Title Volume 3612 Folio 204 more particularly described in the Schedule hereto AND WHEREAS the said land is Church Trust Property held for the sole benefit of the Provisional District of Jannali with Como but no trusts in writing have been declared concerning the same AND WHEREAS it is proposed to erect a church to be known as St. Anne's Como upon part of the said land and for such purpose it will be necessary and expedient to mortgage the said land to borrow the sum of Six thousand two hundred pounds (£6,200) to be applied towards the cost of such church and furnishings thereof NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DIRECTS AND RULES as follows :-

1. (i) The Corporate Trustee is hereby authorised to mortgage the land described in the Schedule hereto:-
  - (a) When the power is first exercised for a sum not exceeding Six thousand two hundred pounds (£6,200).
  - (b) When the power is subsequently exercised for such sum (not exceeding Six thousand two hundred pounds (£6,200)) as Standing Committee may by resolution determine.

PROVIDED that such debt shall be reduced at the rate of not less than Four hundred and eighty pounds (£480) per annum principal and interest when the power is first exercised and thereafter at such rate as Standing Committee may by resolution determine PROVIDED FURTHER that no person or corporation advancing moneys pursuant to the provisions of this Ordinance shall be concerned to enquire whether such reductions shall have been made.

- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the power.
- (iii) Any document purporting to be certified by the Archbishop or Diocesan Secretary 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.

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2. The proceeds arising from the said mortgage shall after paying thereout the costs of and incidental to the Ordinance and any mortgage or charge executed in pursuance thereof be applied as follows:-

- (i) When the power is first exercised in payment to the Churchwardens of St. Anne's Church Como to be applied by them towards the costs of and incidental to the erection of a church upon part of the said land and the necessary furnishings thereof or towards repayment of any money temporarily borrowed for such purpose.
- (ii) When the power is subsequently exercised towards the repayment of any existing mortgage or mortgages and the costs of and incidental to the discharge thereof and of such new mortgage or mortgages.

3. The Churchwardens of St. Anne's Church Como shall within seven days of the holding of the Annual Vestry Meeting of such church 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.

4. This Ordinance may be cited as "St. Anne's Como Mortgage Ordinance 1965."

**SCHEDULE**

All that piece or parcel of land situated at Como in the Shire of Sutherland, Parish of Sutherland, County of Cumberland having a frontage of 163' 8 $\frac{3}{4}$ " to Wolger Street a splay corner of 4' 7 $\frac{1}{2}$ " to Bulumin Street and depth along that Street of 133' 6" being Lots 80, 81 and 82 D.P. 10512 and the whole of the land comprised in Certificate of Title Volume 3612 Folio 204.

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

**ATHOL RICHARDSON,**

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 22nd day of February, 1965.

**R. K. JONES,**

Acting Secretary.

I assent to this Ordinance.

**HUGH SYDNEY,**

Archbishop of Sydney.

22/2/1965.