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*Villawood Rectory Mortgage Ordinance 1958.*

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No. 9, 1958.

AN ORDINANCE to authorise the mortgaging of certain land at Old Guildford in the Municipality of Fairfield and to provide for the application of the proceeds thereof.

WHEREAS by Ordinance No. 13 1956 entitled "Christ Church Old Guildford Sale Ordinance 1956" the land described in the first Schedule thereto or so much thereof as was then capable of so being was vested in Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) upon trust to permit the same to be used for a church parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District of Villawood or any Parish thereafter formed in the place thereof AND WHEREAS in pursuance of the provisions of the said recited Ordinance the land described in the second Schedule thereto was conveyed to the Council of the Municipality of Fairfield AND WHEREAS the Corporate Trustee is now seised of an estate in fee simple of the land described in the Schedule hereto being the residue of the land described in the first schedule to the said recited Ordinance No. 13 1956 after excluding therefrom the land so conveyed as aforesaid and also excluding Lots 4 and 5 of Section 5 of the Orchardleigh Estate referred to in the said Ordinance in respect of which title has been lost AND WHEREAS it is proposed to erect a Rectory or Parsonage on part of the land described in the said Schedule and for such purpose it is necessary to borrow the sum of Three thousand two hundred pounds (£3200) against the security of the said land Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod hereby Ordains and Directs as follows:—

1. By reason of circumstances which have arisen subsequent to the trusts upon which the land described in the Schedule hereto is held it is expedient to mortgage the same.

- (i) The Corporate Trustee is hereby empowered to mortgage from time to time the whole or any part of the said land for the purpose of borrowing the sums following:—

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- (a) When the power is first exercised, a sum not exceeding Three thousand two hundred pounds (£3200).
- (b) When the power is subsequently exercised such sum not exceeding Three thousand two hundred pounds (£3200) as the Standing Committee shall by resolution determine.

Provided that such debt shall be reduced at the rate of not less than One hundred and twenty five pounds (£125) per annum when the power is first exercised and thereafter at such rate as Standing Committee shall by resolution determine Provided Further that no person or corporation advancing moneys under the provisions of this Ordinance shall be concerned to enquire whether such reductions as aforesaid shall have been made.

- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) A document purporting to be signed by the Archbishop or the Secretary of the Standing Committee 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.

2. The proceeds of any mortgage hereby authorised shall be applied by the Corporate Trustee as follows:—

- (i) When the power is first exercised in payment of the costs charges and expenses of and incidental to this Ordinance and such mortgage executed in pursuance thereof and subject thereto in payment of the balance to the Churchwardens for the time being of Christ Church Old Guildford to be applied by them in and towards the costs of erection of a Rectory or Parsonage on the said land.
- (ii) When the power is subsequently exercised in payment of the principal interest and costs of and incidental to the discharge of any then existing mortgage or mortgages and the costs and expenses of such further mortgage or mortgages.

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3. The Churchwardens of Christ Church Old Guildford shall within seven days of the holding of 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 Secretary of the Standing Committee giving details of the original amount borrowed, the amounts paid off and the balance owing.

4. This Ordinance may be cited as "Villawood Rectory Mortgage Ordinance 1958."

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SCHEDULE.

All that piece or parcel of land containing by admeasurement 1 acre 0 roods 8½ perches situate lying and being in the Municipality of Fairfield Parish of St. John County of Cumberland and State of New South Wales being part of the land comprised in Conveyance No. 255 Book 261 dated 30th December 1882 and being Lots 2 and 3 and part of Lot 1 of Section 5 of the Orchardleigh Estate and also part of North's six hundred and forty acres grant commencing at a point on the northern side of Orchardleigh Street at the south-western corner of Lot 47A shown on Deposited Plan 1625 and bounded thence on the south by part of the northern side of Orchardleigh Street bearing 269 degrees 08 minutes for 170 feet on the south-west by a line bearing 314 degrees 11 minutes for 8 feet 3½ inches to the eastern side of Broughton (formerly Church) Street as widened on the west by part of the eastern side of Broughton Street as widened bearing 359 degrees 14 minutes 30 seconds for 256 feet 2 inches to the southern boundary of Lot 5 shown on Housing Commission Plan 91 on the north by part of the southern boundary of the said Lot 5 being a fenced line bearing 92 degrees 58 minutes 10 seconds for 177 feet 11½ inches to the north-western corner of the abovementioned Lot 47A and on the east by the western boundary of the said Lot 47A being a fenced line bearing 179 degrees 08 minutes 30 seconds for 252 feet 3½ inches to Orchardleigh Street aforesaid and the point of commencement.

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

H. GORDON S. BEGBIE,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of Synod of the Diocese of Sydney on the 30th day of June, 1958.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

2/7/1958.