

*Concord West Mortgaging 1922.*

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AN ORDINANCE to authorise the mortgage of certain lands situate in Concord Road Concord West in the County of Cumberland such land being more particularly described in the Schedule hereto and to provide for the application of the proceeds thereof.

WHEREAS by Certificate of Title under the provisions of the Real Property Act 1900 dated the second day of May One thousand nine hundred and eight Volume 1872 Folio 8 The Church of England Property Trust Diocese of Sydney (hereinafter designated the "said Trust") is the registered proprietor of the whole of the land described in such certificate AND WHEREAS by declaration of Trust dated the twenty-fifth day of September One thousand nine hundred and twenty-two duly registered the said Trust declared that it held the land described in the said Certificate of Title UPON TRUST to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in the Mission District of Concord West AND WHEREAS it is considered desirable to erect a Parish Hall on portion of the land mentioned in such Certificate of Title AND WHEREAS for the purposes aforesaid it is necessary that moneys should be raised over the land in the Schedule hereto and the buildings erected and to be erected thereon to secure the repayment of the moneys so borrowed as aforesaid with interest thereon AND WHEREAS it is expedient that any advance or advances of money not exceeding in the aggregate the sum of one thousand five hundred pounds should be obtained upon the security of the said land and buildings comprised in the Schedule hereto for the purposes aforesaid AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trusts it is expedient to mortgage the land described in the Schedule hereto AND WHEREAS by an Act of Parliament passed in the eighth year of the reign of His Majesty King George the Fifth entitled the "Church of England Trust Property Act 1917" (No. 21) it was enacted that during the recess of the Synod a Committee Council or other body of persons appointed for that purpose by Ordinance of Synod might in place of such Synod exercise such of the powers and functions referred to in the said Act as should be

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determined by Ordinance of the Synod AND WHEREAS by an Ordinance of the Synod passed in the year One thousand nine hundred and eighteen the Standing Committee was appointed for the purpose of exercising and accordingly might during the recess of the Synod of the Diocese exercise in the place of such Synod all or any of the powers and functions and do and make all or any of the things referred to in Sections 26 to 31 (inclusive) constituting Part VI. of the said Act Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the said Act and Ordinance and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales and by the "Church of England Trust Property Act 1917" or otherwise in the name and in place of such Synod ordains directs and rules as follows:--

1. By reason of circumstances subsequent to the creation of the said recited trusts it is expedient to obtain from time to time an advance or advances of money not exceeding in the aggregate one thousand five hundred pounds on the security of the land comprised in the Schedule hereto and the buildings erected and to be erected thereon.

2. The said piece of land described in the Schedule hereto and the buildings erected and to be erected thereon and the appurtenances may be from time to time mortgaged to secure the repayment of the moneys so authorised to be borrowed as aforesaid.

3. The amount or amounts so to be from time to time raised (after deducting thereout all expenses) shall be paid by the Trust to the Minister in charge and the elected Churchwardens for the time being of the Church of Holy Trinity Concord West (whose receipt shall be a sufficient discharge) and shall be by them applied in or towards the payment of the erection of a Parish Hall for the Mission District of Concord West on portion of the lands comprised in the said Certificate of Title.

4. The said piece of land and all buildings thereon may be mortgaged from time to time for the purpose of raising any sum or sums of money not exceeding in the aggregate one thousand five hundred pounds with which to discharge or renew the mortgage or mortgages now authorised or any mortgage or

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mortgages substituted therefor and any interest accrued due in respect thereof. Provided however that after the expiration of five years from the passing of this Ordinance no renewal of any mortgage shall be valid for a larger sum than one thousand pounds and thereafter the principal sum shall be reduced at the rate of one hundred pounds per year.

5. This Ordinance shall be styled and cited as "The Holy Trinity Church Concord West Mortgaging Ordinance of 1922."

THE SCHEDULE REFERRED TO.

All that piece or parcel of land containing by admeasurement one rood and thirty-two perches more or less situate lying and being in the Municipality of Concord Parish of Concord County of Cumberland and State of New South Wales being part of the land in Certificate of Title Volume 1872 Folio 8 commencing at a point on the South-western side of Concord Road bearing one hundred and sixty-one degrees forty-one minutes one hundred and forty feet four and three quarter inches from Victoria Avenue and bounded thence on the North-east by the said Concord Road bearing one hundred and sixty-one degrees forty-one minutes one hundred and seven feet thence on the South-east by a fenced line bearing two hundred and thirty-nine degrees twelve minutes one hundred and sixty feet three and one half inches thence on the South-west by a fenced line bearing three hundred and thirty-eight degrees thirty-four minutes thirty seconds one hundred and thirty-seven feet nine inches and on the North-west by a fenced line bearing seventy degrees fifteen minutes one hundred and sixty-three feet ten and three-quarter inches to the point of commencement.

Passed as amended.

6th October, 1922.

GERARD D'ARCY-IRVINE,  
*Chairman of Committee.*

I certify that this Ordinance was passed by the Standing Committee this sixth day of October, 1922,

C. R. WALSH,  
*Secretary.*

I assent to this Ordinance.

23rd October, 1922.

JOHN CHARLES SYDNEY.