

No. 11, 1956.

AN ORDINANCE to authorise the mortgaging of certain land situate at Trelawney Street Eastwood such land being more particularly described in the Schedule hereto and to provide for the application of the proceeds thereof.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the purchaser from Cleveland Denehay Thomas and Lilla Edith Thomas of the land described in the Schedule hereto for the price of Twelve thousand five hundred pounds (£12,500) under Contract for Sale dated the 17th day of February 1956 AND WHEREAS the said land is being purchased by the Corporate Trustee for use as a home for aged women of small means to be administered by the Home Mission Society and known as the "J. D. Daly Home" AND WHEREAS it is considered necessary and expedient to provide for payment of part of the purchase price for the said land upon terms to be secured by the execution of a mortgage over the said land in favour of the vendors to which the vendors have agreed Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Ordains and Declares as follows:—

1. By reason of the circumstances appearing in the preamble it is expedient to mortgage the land comprised in the Schedule hereto and—

(i) The Corporate Trustee is hereby empowered to mortgage from time to time the whole or any part of the land comprised in the Schedule hereto for the purpose of providing:—

(a) When the power is first exercised a sum not exceeding Eight thousand pounds (£8,000).

(b) When the power is subsequently exercised such sum or sums not exceeding a total of Eight thousand pounds (£8,000) as the Standing Committee shall by resolution determine (Provided that the mortgage debt shall be reduced by payments at the rate of not less than One thousand pounds (£1,000) per annum inclusive of principal and interest when the power is first exercised and thereafter at such rate as the Standing Committee may by resolution determine.

---

*The "J. D. Daly Home" Mortgaging Ordinance 1956.*

---

- (ii) Any renewal of mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) A document purporting to be certified 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:—

- (a) When the power is first exercised:—
- (i) In payment of the costs charges and expenses of and incidental to this Ordinance and such mortgages executed in pursuance of this Ordinance.
- (ii) Subject thereto the balance shall be applied in or towards payment or satisfaction of the balance of purchase money for the said land.
- (b) When the power is subsequently exercised, in payment of the principal interest and costs of any mortgage then existing and of the costs and expenses of any subsequent mortgage or mortgages.

3. The General Secretary for the time being of the Home Mission Society shall within seven days after each Annual Meeting of the said Society 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 of the said mortgage the amounts paid off and the balance owing.

4. This Ordinance shall be styled and cited as the "J. D. Daly Home" Mortgaging Ordinance 1956."

---

THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate at Eastwood in the Municipality of Ryde Parish of Hunter's Hill County of Cumberland having a frontage to Trelawney Street of 129 feet 6 inches and a rear line of 120 feet and with depths of 288 feet 7 inches on one side and 179 feet 10 inches on the other being Lot 20 in Deposited Plan Number 5132 and being the whole of the land comprised in Certificate of Title Volume 4951 Folio 249, together with the brick cottage and all other improvements erected thereon and known as No. 25 Trelawney Street, Eastwood.

---

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 7th day of May, 1956.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

12/5/1956.