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*St. Mark's West Wollongong Mortgaging Ordinance 1954*

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No. 24, 1954.

AN ORDINANCE to authorise the mortgaging of certain land situate at West Wollongong in the City of Greater Wollongong Parish of Wollongong County of Camden and to provide for the application of the proceeds thereof.

WHEREAS the land mentioned in the Schedule hereunder (hereinafter called the said land) is vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustees).

AND WHEREAS there is at present erected upon the said land the Church of St. Mark's West Wollongong and the Parish Hall of the said Parish and Rectory.

AND WHEREAS the said land is Church Trust Property but no Trust in writing has been declared.

AND WHEREAS it is expedient to enlarge and renovate the said Parish Hall and to furnish the same.

AND WHEREAS it is necessary and expedient for the above purpose to mortgage the said land.

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. The said land shall be held upon trust to permit the same to be used for a Church Parish Hall or Rectory or partly for one and partly for another or other of such purposes in connection with the Church of England in the Parish of St. Mark's West Wollongong.

2. The whole of the land described in the Schedule hereto may be mortgaged for the purposes of borrowing the sums following:—

- (a) When the power is first exercised a sum not exceeding Three thousand pounds (£3,000).

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- (b) When the power is subsequently exercised such sum as the Standing Committee shall by resolution determine. Provided that such debt shall be reduced at the rate of not less than Fifty pounds (£50) per annum after the power is subsequently exercised.
- (c) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (d) 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 authorised by Section 2 shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and such Mortgage and subject thereto the balance shall be paid to the Churchwardens for the time being of the Parish of St. Mark's West Wollongong (whose receipt shall be sufficient discharge therefor) and who shall apply such money in and towards the cost of enlarging and renovating the said Parish Hall and furnishing same.

4. The Churchwardens for the time being of the Church of St. Mark's West Wollongong shall within seven days of the date of holding 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 Diocesan Secretary giving details of the original amount borrowed amounts paid off and balance owing.

5. This Ordinance may be cited as "St. Mark's West Wollongong Mortgaging Ordinance 1954."

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THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece of land situated at West Wollongong in the City of Greater Wollongong Parish of Wollongong County of Camden containing one acre two roods sixteen perches or thereabouts being the whole of the land comprised in Certificate of Title dated 28th March 1947 Registered Volume 5658 Folio 176.

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

ARTHUR L. WADE,  
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30th day of August, 1954.

H. V. ARCHINAL,  
Diocesan Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop, Commissary,

1/9/1954