
*The Council for the Promotion of Sydney Church of England
Diocesan Schools (Highfields) Mortgage Ordinance 1954.*

No. 15, 1954.

AN ORDINANCE to authorise the Mortgaging of certain land at Lindfield in the Municipality of Ku-ring-gai and provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is the purchaser under Contract dated the tenth day of May One thousand nine hundred and fifty four from Lilian Rayner of the land comprised in Certificate of Title Registered Volume 4870 Folio 51 more fully described in the Schedule hereto for the sum of One thousand three hundred pounds (£1,300). AND WHEREAS the said Corporate Trustee has an equitable interest in the said land which is Church Trust Property held for the benefit of the Council for the Promotion of Sydney Church of England Diocesan Schools in the Diocese of Sydney AND WHEREAS no trusts concerning the said land have been declared in writing AND WHEREAS it is expedient to mortgage the said land for the purpose of providing portion of the said purchase money 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 circumstances subsequent to the creation of the trusts upon which the land described in the Schedule hereto are 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 land comprised in the Schedule hereto for the purpose of borrowing the sums following:—

(a) When the power is first exercised a sum not exceeding Five hundred pounds (£500).

(b) When the power is subsequently exercised such sum not exceeding Five hundred pounds (£500) as the Standing Committee shall by resolution determine.

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Provided that such debt shall be reduced at the rate of not less than Fifty pounds (£50) per annum when the power is first exercised and thereafter at such rate as the Standing Committee may by resolution determine.

Provided further that no mortgagee advancing moneys in pursuance of this ordinance shall be concerned and require to see that the said proviso has been complied with.

- (ii) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (iii) 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 Resolution was duly passed.

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

- (a) In payment of the costs charges and expenses of and incidental to this ordinance and such mortgage or any mortgage executed in pursuance thereof.
- (b) Subject thereto the balance shall be applied in or towards the purchase money for the completion of the said Contract of Sale.

3. This Ordinance may be styled and cited as "The Council for the Promotion of Sydney Church of England Diocesan Schools (Highfields) Mortgage Ordinance 1954."

THE SCHEDULE.

All that piece or parcel of land having a frontage of twenty five feet (25') to Highfield Road Lindfield in the Municipality of Ku-ring-gai Parish of Gordon County of Cumberland containing an area of 1 rood 39¼ perches being Lot C on plan annexed to Transfer No. C.513513 and being the whole of the land comprised in Certificate of Title Volume 4870 Folio 51.

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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 second
day of June, 1954.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,
Archbishop of Sydney.

4/6/1954