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CLIFTON LANDS

MORTGAGE ORDINANCE 1953

WHEREAS the lands described in the Schedule hereto are vested in the Corporate Trustees of the Diocese of Grafton (hereinafter called "the Corporate Trustees") having been purchased by them under and pursuant to a certain Contract dated the Twentieth day of September, 1949 from Leila Lindsay and Leslie Macquarie Bassingthwaite for the price or sum of Five thousand pounds (£5000. 0. 0) AND WHEREAS in order to provide the funds necessary to complete the said purchase, to meet the survey legal and other costs and expenses incidental thereto and for certain contemplated additions and improvements to the said property, the said Corporate Trustees borrowed from the Bank of New South Wales on overdraft the sum of Six thousand pounds (£6000. 0. 0) and upon the 20th day of February, 1953 executed in favour of the said Bank a Deed of Mortgage over the said lands as security for the due repayment of the said advance with interest and other charges thereon and have since paid to the said Vendors thereof all purchase and other moneys payable upon completion and have received and registered in the name of the said Corporate Trustees a Deed of Conveyance of the said lands AND WHEREAS it is desirable that formal authority to mortgage the said lands should be conferred upon the Corporate Trustees and that the said Deed of Mortgage should be duly ratified and confirmed AND WHEREAS by Act of Parliament passed in the eighth year of the reign of His Majesty King George the Fifth entitled "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 might in place of the Synod of the Diocese exercise such of the powers and functions and do and make such of the things referred to in the said Act as should be determined by Ordinance of the Synod of such Diocese AND WHEREAS by an

Ordinance of the Synod of the Diocese of Grafton passed in the year One thousand nine hundred and thirty-four the Bishop-in-Council was appointed for the purpose of exercising and might accordingly during the recess of such Synod of the said Diocese exercise in the place of such Synod any or all^{of} the powers and functions and do and make any or all of the things referred to in Section 26 of the said Act as may be done by the Synod AND WHEREAS such Synod is now in recess NOW THEREFORE the Bishop-in-Council of the Synod of the Diocese of Grafton in pursuance of the powers in that behalf conferred upon it by the said Act and the said Ordinance and in pursuance of the powers vested in the said Synod by the constitution 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 the place of such Synod ordains, directs and rules as follows:-

1. The Corporate Trustees are hereby authorised and empowered to mortgage the lands described in the Schedule hereto for any sum or sums of money not exceeding Six thousand pounds (£6000. 0. 0) and to execute all necessary and proper mortgages or other securities over the said lands to the person or persons company or companies advancing such moneys for securing the due repayment of such moneys interest and other charges thereon and the aboverecited Deed of Mortgage executed and given on the Twentieth day of February One thousand nine hundred and fifty-three by the said Corporate Trustees to the Bank of New South Wales in respect of the said advance of Six thousand pounds (£6000. 0. 0) is hereby ratified and confirmed.

2. Any further mortgages or securities which may be executed or given pursuant to the powers herein contained may include all the powers covenants and provisions usually contained in mortgages of real estate including the power of sale

but such covenants powers and provisions shall not extend the remedies of the Mortgagee to other property or funds than those held by the said Corporate Trustees for the purposes aforesaid.

3. The application by the said Corporate Trustees of the said advance of Six thousand pounds (£6000. 0. 0) to the completion of the purchase of the said property including the survey legal and other costs and expenses incidental thereto is hereby ratified and confirmed.

4. The balance of the said advance and any other moneys raised by mortgage under this Ordinance may be expended in or applied towards the carrying out of such additions and improvements in or to the said lands buildings and other erections thereon the payment of necessary outgoings and in or towards such expenses incidental thereto as the Corporate Trustees may in their discretion think fit.

5. This Ordinance shall be cited and known as "Clifton Lands Mortgage Ordinance 1953."

SCHEDULE

ALL THOSE 96 acres or thereabouts being Portions 107,126,127, 128 and 129 in the Parish and County of Macquarie Known as "Clifton" and being the whole of the lands comprised in Deed of Conveyance dated 31st day of January, 1953 from Leila Lindsay and Leslie Macquarie Bassingthwaite to the said Corporate Trustees Registered No. Book

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

Rapmund
.....
Chairman of Committees

I hereby certify that the Ordinance was passed by the Bishop-in-Council on the 12th
March, 1953.

D. R. Singleton
.....
Registrar.

I assent to this Ordinance

Christie M. G. G. G.
.....
Bishop