

TWEED HEADS LAND 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") AND WHEREAS in order to provide the funds required to construct a new Rectory for the Parish Church at Tweed Heads the said Corporate Trustees borrowed from

on overdraft the sum

of Two thousand pounds (£2,000.0.0.) and upon the Twenty seventh day of April, One thousand nine hundred and fifty three executed in favor of the said Bank a Memorandum 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 made certain payments thereof towards the purposes aforesaid AND WHEREAS it is desirable that formal authority to mortgage the said lands should be conferred upon the Corporate Trustees and that the said Memorandum 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

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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 authorized and empowered to mortgage the lands described in the Schedule hereto for any sum or sums of money not exceeding Two thousand pounds (£2000.0.0.) and to execute all necessary and proper mortgages and 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 above-recited Memorandum of Mortgage executed and given on the Twenty seventh day of April, One thousand nine hundred and fifty three by the Corporate Trustees to

in respect of the said advance of Two thousand pounds (£2000.0.0.) 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 Two thousand pounds (£2000.0.0.) towards the construction of the said new rectory 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 construction of the new rectory as aforesaid

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with all necessary and proper fencing outbuildings and other appurtenances and all costs and expenses incidental thereto as the Parochial/^{Council} of Tweed Heads may desire or in such other manner as the Bishop-in-Council shall direct.

5. This Ordinance shall be cited and known as "Tweed Heads Land Mortgage Ordinance 1953".

SCHEDULE

ALL THOSE 1 rood 7 perches being Lots 16 and 17 of Section 2 situate in Enid Street in the Township of South Coolon Parish of Terranora County of Rous and being the whole of the lands comprised in Certificate of Title dated 7th. June, 1904 Registered Volume 1537 Folio 155 in the name of The Corporate Trustees of the Diocese of Grafton .

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

[Handwritten Signature]
.....
Chairman of Committees

I hereby certify that the Ordinance was passed by the Bishop-in-Council on the 1st July, 1953.

[Handwritten Signature]
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Registrar

I assent to this Ordinance

[Handwritten Signature]
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Bishop