

JOHN KNOX PRESBYTERY
POLICY FOR CHURCHES REQUESTING PERMISSION
TO PURCHASE, SELL, OR IMPROVE REAL PROPERTY

The Book of Order, states:

A particular church shall not sell, mortgage or otherwise encumber any of its real property and it shall not acquire real property subject to an encumbrance or condition without the written permission of the presbytery transmitted through the session of the particular church.

A particular church shall not lease its real property used for purposes of worship, or lease for more than five years any of its other real property, without the written permission of the presbytery transmitted through the session of the particular church.

The following policy is offered for the guidance of churches making requests to sell or purchase real property, mortgage or otherwise encumber any real property or requesting permission to acquire real property subject to an encumbrance or condition. Additionally, churches planning any renovations and/or improvements that will not require encumbrances are requested to communicate their plans to the presbytery.

- 1) The request should be addressed to the Executive Presbyter of the Presbytery, who shall refer the request immediately to the Stated Clerk, and the Presbytery Council.
- 2) The Presbytery Council has the responsibility to study all requests, confer with the appropriate representatives, and recommend to presbytery or, for the sake of timeliness, act on these requests with the decision reported to the next stated meeting of presbytery. This process shall be accomplished in a timely manner.
- 3) The request shall be accompanied with a statement of the action of the congregation.
- 4) The request shall be accompanied by a legal description of the property involved except in case of major renovation and improvement where there will be no encumbrance on the property.
- 5) The request also shall include a rationale, presumably the same one that was used when the congregation made its decision, and a statement of how this request fits into the planning and future of the congregation.
- 6) The request shall include the name of the lending institution, the rate of interest and the payment schedule of the loan where applicable.

Before making a final decision the Presbytery Council may request the following:

- 1) An appraisal of the property to be bought or sold made by a neutral appraiser, at the expense of the congregation.
- 2) Information as to the use of the proceeds of the sale of the property.
- 3) That a church building be sold with specific limitations as to its final disposal.
- 4) Other information or requirements as seems wise to the Presbytery.
- 5) Upon completion of the purchase or sale of property, a copy of the signed deed shall be mailed to the Presbytery Center.

*See Forms: Form 1 – For the Purchase of Property by a Particular Church
Form 2 – For the Selling of Property by a Particular Church
Form 3 – For the Improvement (Renovation) of Church Property