

DECREE

Alienation of Church Property: Tract of Land Annunciation Parish

Due to reasons of financial stability and security, consideration must be given as to whether sufficient just cause exists for the alienation of Church property in the form of a specified tract of land adjacent to Holy Spirit Church.

Whereas the pastor of Annunciation Parish, in whose territory the tract of land is situated, wrote to me out of concern for the fiscal stability and security of Annunciation Parish in order to request that a specified tract of land adjacent to Holy Spirit Church be alienated;

Whereas the following reasons indicate that the specified tract of land which is adjacent to Holy Spirit Church, located in Evansville, Indiana within the boundaries of Annunciation Parish, may be alienated:

Whereas Annunciation Parish has significant financial expense for the maintenance and repairs of two church edifices as well as adjacent Church property, giving rise to concern for the fiscal stability of Annunciation Parish;

Whereas following the pastor's consultation with the parishioners of Annunciation Parish, including the parish pastoral council and the parish finance council, no interest was expressed in maintaining the specified tract of land, particularly because financial stability and security concerns exist;

Whereas other reasonable sources of funding have been considered but found inadequate.

Furthermore, charity and other assistance to be bestowed on the poor cannot be neglected in order to preserve an unneeded tract of land.

Wherefore:

Having carefully considered the law and the facts; and

Having heard the pastor of Annunciation Parish; and

Having consulted the Dean of the South Deanery; and

Having sought and obtained the written appraisals of experts who have provided the financial value of the property, in accord with canon 1293 §1, 2°; and

Having examined and accepted the experts' estimates of the value of the property, and finding that the estimated value of the property lies below the minimum and maximum amounts established by the United States Conference of Catholic Bishops for the valid alienation of goods which constitute the stable patrimony of those public juridic persons subject to my episcopal authority, according to the norm of canon 1292 §1; and

Having consulted the members of the Council of Priests on 26 March 2019 in accord with the norm of canons 127 §1, §2, 2°, and §3, and 1292 §4, and following discussion, no substantial objection to that proposal was offered; the Council of Priests voted unanimously in favor of the proposal; and

Having consulted the College of Consultors on 26 March 2019 in accord with canons 127 §1, §2, 2°, and §3, and 1292 §4, and following discussion, no substantial objection to that proposal was offered; the College of Consultors voted unanimously in favor of the proposal; and

Having consulted the Diocesan Finance Council on 28 March 2019 in accord with canons 127 §1, §2, 2°, and §3, and 1292 §4, and following discussion, no substantial objection to that proposal was offered; the Diocesan Finance Council voted unanimously in favor of the proposal; and

Having ascertained by means of the original deeds and other documents as well as having heard from others that there are no major donors and/or their heirs who may have donated the land and whose consent is needed to place this juridic act in accord with canon 1292 §1; and

Having ensured that the alienation will be valid civilly; and

Having ensured that no harm shall come to the Church by the alienation of the property inasmuch as the proposed sale has been given a certain amount of publicity, the purchaser has the funds or the collateral to secure the payment, and the documents of the proposed sale have stipulations and restrictions inserted in them that the property may only be used for profane but not sordid use, in accordance with the norm of canon 1222 §2; and

Having ensured that there is no reasonable possibility of scandal or loss of the faithful resulting from the proposed alienation; and

Having determined that the good of souls will suffer no harm thereby; and

Therefore, in accord with canons 1291 and 1292 §4 of the *Code of Canon Law*, and having judged that sufficient just cause is indeed present, I hereby decree the alienation

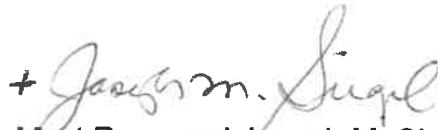
of the specified tract of land adjacent to Holy Spirit Church within the boundaries of Annunciation Parish.

In keeping with the prescripts of canon 1294 §1, the aforesaid property cannot be alienated below its appraised value provided by the experts.

In accord with the prescripts of canon 1294 §2 of the *Code of Canon Law*, the income resulting from the alienation of the aforesaid property must be invested carefully for the advantage of the Church or expended prudently according to the purposes of the alienation.

The provisions of this decree are to take effect on 4 May 2019, all things to the contrary notwithstanding. This decree is to be communicated to all interested persons. These provisions may be appealed according to the norm of canon 1734 §§1 and 2.

Given at Evansville, Indiana
17 April 2019



Most Reverend Joseph M. Siegel, DD, STL
Bishop of Evansville



Tim McGuire
Chancellor