

Report From the Administrative Commission on Congregational Property
9/14/2022

Important Information for Churches

G-4.0206 Selling, Encumbering, or Leasing Church Property from the Book of Order

a. Selling or Encumbering Congregational Property

A congregation 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 congregation.

b. Leasing Congregational Property

A congregation 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 congregation.

All leases executed by NCP Sessions must contain the following language:

"Notwithstanding anything contained in this Lease/License to the contrary, in the event that the Landlord as a religious organization is dissolved, Lessee or the National Capital Presbytery may terminate this Lease/License, provided that notice of such dissolution is provided to Lessee at least ninety (90) days prior to the anticipated date of dissolution, and (ii) the Lease/License shall not terminate for ninety (90) days after the date of such dissolution unless otherwise agreed by the Parties."

The Presbytery has empowered the Administrative Commission on Congregational Property with the powers of an Administrative Commission to consider and approve requests from churches to lease, sell or encumber the real property of a church. Any action in this regard by a congregation without the Presbytery's permission will not be recognized as legally valid.

If your church is considering leasing, selling or encumbering real property please contact the Director of Business Affairs, Heather Deacon, hdeacon@thepresbytery.org.

- Fairfax Presbyterian Church (Fairfax, VA) – October 25, 2022

Approved a request to grant both a permanent easement and temporary construction easement on the worship property located at 10723 Main Street, Fairfax, VA for the purposes of connecting the Judicial Drive Trail across the property, as follows:

Under its authority as an Administrative Commission of National Capital Presbytery (NCP), the Administrative Commission on Congregational Property (ACCP) **approves** the Fairfax Presbyterian Church (FPC) request to grant a permanent easement and temporary construction easement to the City of Fairfax for purposes of connecting the Judicial Drive Trail on the worship property located at 10723 Main Street, Fairfax VA. The specific location of easements is outlined in the easement agreement which includes a plat. The easement is granted in exchange for \$15,020.00 to be paid directly to Fairfax Presbyterian Church. *ACCP directs the Director of Business Affairs/NCP Treasurer to sign the appropriate agreements.*