

DECREE

Alienation of Church Property: Two Tracts of Land Saint Peter Parish in Montgomery

Due to reasons of financial stability, consideration must be given as to whether sufficient just cause exists for the alienation of Church property in the form of two tracts of land within the territory of Saint Peter Parish in Montgomery.

Whereas the administrator of Saint Peter Parish, in whose territory the two tracts of land are situated, wrote to me out of concern for the fiscal stability of Saint Peter Parish in order to request that the aforementioned two tracts of land be alienated;

Whereas the following reasons indicate that the two tracts of land, which are located within the boundaries of Saint Peter Parish, may be alienated:

Whereas Saint Peter Parish has significant financial expense for the maintenance and repairs of two church edifices as well as its cemetery, giving rise to fiscal concern for Saint Peter Parish;

Whereas following the administrator's consultation with the parishioners of Saint Peter Parish and the parish pastoral council, no interest was expressed in maintaining the two unused and unneeded tracts of land, particularly because financial stability 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 two unused and unneeded tracts of land.

Wherefore:

Having carefully considered the law and the facts; and

Having heard the administrator of Saint Peter Parish; 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 amount 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 16 August 2022 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 members of the College of Consultors on 16 August 2022 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 College of Consultors voted unanimously in favor of the proposal; and

Having consulted the members of the Diocesan Finance Council on 19 August 2022 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 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 disclosed the fact that a prior alienation of Church property has occurred within the territory of Saint Peter Parish in accord with canon 1292 §3;

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 two tracts of land located within the boundaries of Saint Peter Parish.

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

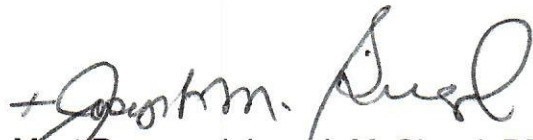
In accord with the prescripts of canon 1294 §2 of the *Code of Canon Law*, the income resulting from the alienation of the aforesaid property must be invested carefully for the advantage of the Church or expended prudently according to the purposes of the alienation.

The provisions of this decree are to take effect on 28 September 2022, 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
13 September 2022




Dean Happe
Chancellor


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