



DECREE

Alienation of the Former Saint John Chrysostom Church, Now Relegated to Profane but Not Sordid Use, and Adjacent Land

Due to the continued deterioration of the former Saint John Chrysostom Church, now relegated to profane but not sordid use, and a lack of the necessary funding to repair and maintain the former church edifice and adjacent land, consideration must be given as to whether sufficient just cause exists for the alienation of the former Saint John Chrysostom Church and adjacent land.

Whereas the pastor of Saint Martin I Parish, in whose territory the former Saint John Chrysostom Church is situated, wrote to me out of concern for the fiscal stability of Saint Martin I Parish in order to request that the former Saint John Chrysostom Church and adjacent land be alienated;

Whereas the following reasons indicate that the now-relegated Saint John Chrysostom Church and adjacent land, located at 13084 E. Cross St., Evanston, Indiana, within the boundaries of Saint Martin I Parish, may be alienated:

Whereas Saint John Chrysostom Church was previously relegated to profane but not sordid use due to grave cause on 15 June 2021 which places significant financial expense on the parish for maintenance and repairs of all edifices, giving rise to concern for the fiscal stability of Saint Martin I Parish;

Whereas the structure of the former Saint John Chrysostom Church has deteriorated to the extent that major repairs are necessary, including, but not limited to: extensive toxic black mold damage which has been deemed as hazardous for people and unsafe for use with the exception of a very brief presence for professional observational purposes, several code violations, the leaning of the steeple at a dangerous degree which poses a safety hazard to people and property, termite damage, damaged floor boards, mold-damaged insulation, a stream of water present under the foundation of the former church which contributes to erosion of the overall structure of the former church, improper rise and run of steps at the former church's entrance, peeling lead paint on the ceiling which contributes to health issues, vent fans lacking in restrooms which caused

mold damage, deteriorated gutters and downspouts which contributed to water under the former church's foundation, deteriorated gas lines and lack of a meter to detect a gas leak, and other structural concerns; such expense imposes a considerable financial strain on Saint Martin I Parish;

Whereas, due to the prior relegation to profane but not sordid use, the church edifice is no longer available to be used for divine worship by the faithful;

Whereas divine worship and pastoral activity have been consolidated to Saint Martin I Church following the relegation of Saint John Chrysostom Church to profane but not sordid use;

Whereas following the pastor's consultation with the parishioners of Saint Martin I Parish as well as former parishioners of the previously merged Saint John Chrysostom Parish, some interest was expressed in maintaining use of the now-relegated Saint John Chrysostom Church;

Whereas following the pastor's consultation with the Saint Martin I Parish pastoral council and parish finance council, no interest was expressed in maintaining use of the former Saint John Chrysostom Church, particularly because of the building hazards as described by experts, and the jeopardizing of the financial stability of Saint Martin I Parish;

Whereas other reasonable sources of funding for the maintenance of the former Saint John Chrysostom Church have been considered but found inadequate; it is not prudent stewardship to provide funding for a former church building which is in such poor repair and is no longer available for divine worship.

Furthermore, charity and other assistance to be bestowed on the poor cannot be neglected in order to preserve a former church edifice.

Wherefore:

Having carefully considered the law and the facts; and

Having heard the pastor of Saint Martin I Parish;

Having consulted the Dean of the East 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 is 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 our episcopal authority, according to the norm of canon 1292 §1; and

Having consulted the members of the Council of Priests on 18 January 2022 in accord with the norm of canons 127 §1, §2, 2°, and §3, and 1292 §4 regarding the question of the possible alienation of the former Saint John Chrysostom Church and adjacent land, 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 18 January 2022 in accord with the norm of canons 127 §1, §2, 2°, and §3, and 1292 §1 regarding the question of the possible alienation of the former Saint John Chrysostom Church and adjacent land, 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 20 January 2022 in accord with the norm of canons 127 §1, §2, 2°, and §3, and 1292 §1 regarding the question of the possible alienation of the former Saint John Chrysostom Church and adjacent land, 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 former church edifice and/or 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, and the buyer has the funds or collateral to secure the payment; 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; that is, the spiritual and pastoral care of the former parishioners is now provided by Saint Martin I Parish; and

Having ensured that its altar, sacred objects, and religious artifacts have been removed from the former Saint John Chrysostom Church; and

Having ensured that stipulations and restrictions are set in place in civil law to prevent any future sordid use;

Therefore, in accord with canons 1291, 1292 §1, and 1293 §1, 1° and 2°, and §2 of the *Code of Canon Law*, and having judged that sufficient just cause is indeed present, I hereby decree the alienation of the former Saint John Chrysostom Church and adjacent land.

In accordance with the norm of canon 1222 §2, this alienation is only for profane but not sordid use. In keeping with the prescripts of canon 1294 §1, the aforesaid property cannot be alienated below its appraised value provided by the experts; and

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 April 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 law, canon 1734 §§1 and 2.

Given at Evansville, Indiana
18 March 2022



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



Tim McGuire
Chancellor