

1 Delete ¶ 2549 and replace with the following:

2 ¶ 2549. *Disposition of Property of a Closed Local Church*—1. Except as provided in ¶ 2548.3,  
3 the district superintendent may, pursuant to this paragraph, recommend the closure of a local  
4 church, upon a finding that:

5 a) The local church no longer serves the purpose for which it was organized or incorporated (¶¶  
6 201-204); or

7 b) The local church property is no longer used, kept, or maintained by its membership as a place  
8 of divine worship of The United Methodist Church.

9 2. *Procedure*—a) Prior to a recommendation to close a local church, the district superintendent  
10 shall:

11 (1) Guide the congregation in an assessment of its potential as outlined in ¶ 213, in consultation  
12 with the appropriate agency assigned the responsibility of the conference parish and community  
13 development strategy;

14 (2) Obtain and consider an opinion of legal counsel as to the existence of any reversion,  
15 possibility of reverter, right of reacquisition, or similar restrictions to the benefit of any party;

16 (3) Develop, in consultation with the appropriate district board of church location and building, a  
17 plan for the future use of all the real and personal, tangible and intangible property of the local  
18 church; and

19 (4) Develop a plan for the transfer of the membership of the local church (¶ 229).

20 b) Upon a recommendation by the district superintendent, and with the consent of the presiding  
21 bishop, a majority of the district superintendents, and the appropriate district board of church  
22 location and building, the annual conference may declare a local church closed. If the annual

23 conference closes a local church, title to all the real and personal, tangible and intangible  
24 property of the local church shall immediately vest in the annual conference board of trustees,  
25 who shall hold said property in trust for the benefit of the annual conference.

26 c) The annual conference board of trustees may retain, sell, lease, or otherwise dispose of the  
27 property of a closed local church in accordance with the direction of the annual conference, if  
28 any. It shall be the duty of the annual conference board of trustees to remove, insofar as  
29 reasonably practicable or necessary, all Christian and United Methodist insignia and symbols  
30 from such property. In the event of loss, damage to, or destruction of such local church property,  
31 the annual conference board of trustees, as the duly and legally authorized representative of such  
32 local church, is authorized to make a claim for, and collect on, any applicable insurance policies.  
33 If the annual conference board of trustees sells or leases the property, consideration should be  
34 given to selling or leasing the property to one of the other denominations represented in the  
35 Commission on Pan-Methodist Cooperation and Union.

36 d) If the annual conference closes any local church, the failure to complete any of the prior steps  
37 will not invalidate such closure.

38 3. Ad Interim Procedures—*a)* At any time between sessions of annual conference, a local church  
39 may voluntarily transfer title to all its real and personal, tangible and intangible property to the  
40 annual conference board of trustees following the procedures set forth in ¶ 2540 or ¶ 2541. In  
41 such case, the annual conference board of trustees shall hold or dispose of such property in its  
42 sole discretion, subject to any standing rule of the annual conference. When it next meets, the  
43 annual conference shall decide whether to formally close the local church.

44 b) At any time between sessions of annual conference, if the presiding bishop, the majority of the

45 district superintendents, and the appropriate district board of church location and building all  
46 consent, they may, in their sole discretion, declare that exigent circumstances exist that require  
47 immediate protection of the local church's property, for the benefit of the denomination. In such  
48 case, title to all the real and personal, tangible and intangible property of the local church shall  
49 immediately vest in the annual conference board of trustees who may hold or dispose of such  
50 property in its sole discretion, subject to any standing rule of the annual conference. Exigent  
51 circumstances include, but are not limited to, situations where a local church no longer serves the  
52 purpose for which it was organized or incorporated (¶¶ 201-204) or where the local church  
53 property is no longer used, kept, or maintained by its membership as a place of divine worship of  
54 The United Methodist Church. When it next meets, the annual conference shall decide whether  
55 to formally close the local church.

56 4. All the deeds, records, and other official and legal papers, including the contents of the  
57 cornerstone, of a closed local church shall be collected by the district superintendent and shall be  
58 deposited for permanent safekeeping with the annual conference commission on archives and  
59 history.

60 5. The annual conference board of trustees shall review all gifts held in trust, assets of any  
61 endowment funds, and assets of any foundation of the closed local church. The annual  
62 conference board of trustees shall dispose of the property in its discretion, unless otherwise  
63 directed by the annual conference or as required by law.

64 6. Any gift, legacy, devise, annuity, or other benefit that accrues to a closed local church shall  
65 become the property of the annual conference board of trustees. The annual conference board of  
66 trustees shall dispose of the property in its discretion, unless otherwise directed by the annual

67 conference or as required by law.

68 7. If a local church in an urban center with more than 50,000 population is closed, any proceeds  
69 of the sale of its property must be used for new and/or existing ministries within urban  
70 transitional communities, as described in ¶ 212, and consistent with the annual conference's  
71 urban ministry strategic plan.

72 8. Upon the discontinuance or abandonment of a local church, the gift of said property may be  
73 made to an organization that is a non-profit and has values consistent with the United Methodist  
74 Church's values and consistent with our Wesleyan heritage, theology, and United Methodist  
75 polity that will begin, enhance or continue the work and vision of ministry with the poor in that  
76 community.

77 ***Rationale:***

78 This rewrite removes confusing language and terminology, more clearly outlines the steps that  
79 must be taken to close a local church, and describes how to manage the closed church's property.  
80 It also gives an option for the gift of the property to enhance the ministry with the poor in rural  
81 and non urban settings which is one way to facilitate John Wesley's vision to minister to the poor  
82 as the cost of land and/or building is one of the largest barriers for non-profit organizations in  
83 helping those in poverty to attain sustainable lifestyles.

84 ***Date:*** May 4, 2015

85 ***Submitted by:*** United Methodist Rural Advocates