## The Episcopal Diocese of Pittsburgh of The Episcopal Church



February 2, 2011

Dear brothers and sisters in Christ,

On behalf of the Episcopal Diocese of Pittsburgh of the Episcopal Church of the United States and St. Philip's Church, Moon Township, we are happy to publicly announce that we have amicably reached an agreement concerning the parish property at St. Philip's.

The terms of agreement resolve questions over the intended use of the church property and pave the way for the people of St. Philip's to have full title to their place of worship. The agreement follows months of confidential negotiations and intense consideration by representatives on both sides. A summary of the terms is contained with this announcement.

By resolving these issues of ownership and use of church property, our agreement allows the parish and the Episcopal Diocese to continue in their ministry without supporting or engaging in lawsuits involving the other. The Gospels and all of Scripture teach us that when differences arise among believers, our first duty is to seek peace and reconciliation with each other. We believe that both the Episcopal Diocese and the parish have been faithful to those Scriptural lessons in reaching this agreement.

However, because real estate transactions are a civil matter and because of legal requirements, the particular terms of this agreement are subject to court approval. St. Philip's and the Diocese have pledged to seek that approval together, and we commit to work with each other in implementing this agreement.

Faithfully,

The Rt. Rev. Kenneth L. Price, Jr.

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Bishop of Pittsburgh

The Rev. Dr. Eric J. Taylor Rector, St. Philip's Church

## Executive Summary of the Agreement between The Episcopal Diocese of Pittsburgh and St. Philip's Church, Moon Township February 2, 2011

St. Philip's intends to operate as an independent Christian congregation holding services in the Anglican tradition. The Agreement permits St. Philip's to continue to operate independently in its current facilities.

The Agreement acknowledges the existence of the provisions of Canon I.7.4 of The Episcopal Church, also known as the "Dennis Canon" and adopted in 1979, which provides that all real and personal property held by or for the benefit of a parish church is held in trust for The Episcopal Church and the Diocese thereof in which the parish is located.

Because St. Philip's will be operating as an independent Christian congregation, the parish has agreed that it will no longer be affiliated with the Anglican Diocese of Pittsburgh or any similar group outside The Episcopal Church for a minimum period of five years.

The financial terms of the Agreement require St. Philip's to pay off its existing mortgage; repay the Diocese the amount of a 2007 distribution from a Diocesan endowment fund; and, pay the Diocese an additional cash amount. The Diocese agrees to finance this sum, with interest, over a term of up to 15 years, and to do so in a manner that will not be an unreasonable burden to St. Philip's. The Diocese will continue to hold the deed for the property until these payments have all been made.

The Agreement expressly states that the parties have entered into it for the purpose of avoiding unnecessary controversy and litigation, and that they commit themselves to that mutual purpose in their implementation of the Agreement. They pledge to work cooperatively to resolve any dispute that might arise under the Agreement before resorting to legal remedies. Additionally, St. Philip's agrees not to support any litigation brought by another against the Diocese involving property.

The Agreement provides for the maintenance of, and ongoing access to, parish records and files. Provisions also cover memorials, dedications and similar parish assets.

Because of the nature of the Agreement, Court approval is required. Under an October 14, 2005 Stipulation and Order of Court in the case <u>Calvary Episcopal Church</u>, Pittsburgh, Pennsylvania v. The Rt. Rev. Robert William Duncan, et al.,

No. GD-03-020941 (C.P. Allegheny County) (the "Calvary Suit"), any person seeking to raise an objection to the Agreement has a period of 45 days from the mailing of this public announcement to file the objection with that Court. The Agreement is also subject to the approval of the Orphans' Court division of the Court. The Diocese and St. Philip's have agreed to cooperate in seeking these court approvals.

Subject to the required Court approval, the Agreement will resolve all potential legal disputes between the Diocese and St. Philip's and allow both to go forward with their respective principal missions, including new forms of ministry, outreach and service, in the name of our one Lord and Savior, Jesus Christ.