



Property and Finance

¶6400

- A. Before an annual conference or a society purchases real estate, the articles of incorporation, wherever the law will permit, shall provide that the corporation be subject to the rules, regulations, doctrines, and *Book of Discipline* of the Free Methodist Church, incorporated as "The Free Methodist Church of North America," as from time to time adopted by the General Conference of that Church insofar as they do not contravene the civil laws. When incorporation is complete, the deed(s) shall be made out directly to the owning body in its corporate name and shall contain the trust clause in ¶ 6400.D. Churches who hold property at the time they join the Free Methodist Church may be given the option by the Board of Bishops, with legal counsel, whether or not to adopt the trust clause for their existing property.
- B. The Board of Administration of an annual conference or a society of the Free Methodist Church shall have and hold in trust (see ¶6400.D) any and all property committed to it. Whenever local law requires church property to be held by trustees, and when the society authorizes its local Board of Administration to be the legal trustees (see ¶6250.1), references in the *Book of Discipline* to "Board of Administration" may be construed to be synonymous with "Board of Trustees." The Board of Administration shall be elected by ballot where civil law requires. The task of caring for property and facilities may be referred to a separate properties committee.
- C. The Board of Administration of the owning body shall see that titles are good; that deeds are drawn in harmony with civil law; that they are immediately recorded; and that abstracts, and other valuable papers are safely stored.
- D. **Trust Clause.** Local church property is understood as a matter of stewarding God's resources to advance the mission of Jesus Christ in the world through the Free Methodist Church - U.S.A. Therefore, so that adequate protection may be afforded the respective body, (see ¶6400.F), all property, whether real, personal, or mixed, acquired by any local society, annual conference, or other body, whether incorporated or unincorporated, shall be held subject to the following trust whether appearing in the evidence of title, or left out of such evidence of title, by mistake, inadvertence, willfulness, or otherwise; and can only be released pursuant to the provisions of ¶6400.F of the *Book of Discipline*.

The property is held in irrevocable trust for the Free Methodist Church - USA (incorporated as "The Free Methodist Church of North America") and is subject to all provisions of its *Book of Discipline*. "Property" includes all houses of worship existing now or later constructed on the property. The following additional provisions apply to the trust:

- all seats shall be forever free;
 - all trustees and their successors, any society or congregation, and all entities or persons with any interest in the property shall permit a minister to hold religious services on the property if the minister is authorized under the *Book of Discipline* and holds services in accordance with it.
 - The property may be sold, and the proceeds disposed of only in accordance with the *Book of Discipline*.
- E. An annual conference or a society shall not accept a deed that contains a clause by which the land conveyed may revert to the original grantor, the heirs, or assigns, nor shall it permit church property to be sold, mortgaged, or otherwise encumbered for current expenses. No other denomination shall be permitted to hold stated appointments in any Free

Methodist churches without the consent of both the pastor and a majority of the local Board of Administration of the pastoral charge or society.

- F. Whenever it becomes advisable and the electing body so authorizes, the local Board of Administration may sell or encumber or otherwise dispose or convey church property by securing the consent of the superintendent and the Conference Administrative Committee in which the property lies and of the Board of Directors of the Free Methodist Church -USA, provided that in all cases the proceeds of such sale or encumbrance shall be: a. invested by the local society for use at a future time, and/or b. reinvested by the local society to address the most pressing needs (operating or capital) faced by that local society, with preference given to property/capital projects, subject to the review and approval of the conference Board of Administration. If within three years of the date of sale or encumbrance the proceeds have not been so used, the Administrative Committee of the annual conference may name a committee to cooperate with the society to lay plans for using such proceeds. If after two years of such cooperative effort satisfactory plans have not been developed, the annual conference may take control of the proceeds. In the case of annual conference property, the authority so given may either be limited to specific property or may be a general authorization pertaining to any or all of its property.
- G. Whenever any property is no longer used permanently for church purposes and it is so declared by the annual conference, the local Board of Administration, if any remains, shall sell it and turn over the proceeds of the sale to the annual conference or convey the same to the conference in its corporate name. If the society Board should refuse to do so, their offices shall be declared vacant by the annual conference and shall be replaced by the conference designees. If no such board remains, the annual conference shall take possession of the property by due process of law. The annual conference may sell and convey such property and the proceeds of sale may be used as the conference may direct, in accordance with the civil law.

Construction of Churches

¶6410

- A. Church buildings are a visual testimony to the surrounding community of the church's faith in God; therefore architecture, interior arrangements and landscaping shall convey honor and reverence for God. All churches shall clearly identify themselves as Free Methodist. All structures shall be built in compliance with zoning laws and building codes and shall be compatible with the prevailing architecture of the neighboring area. New buildings shall be easily accessible to the physically handicapped. All seats shall be free. Interior arrangements shall assist in making the preaching of the Word central in our services. Careful planning is necessary, including consideration of utility and maintenance costs, safety, acoustical features, and the long-term needs of the church.
- B. No step shall be taken involving pecuniary liability in constructing houses of worship or parsonages, or in purchasing real property of any kind, until the finance plan is approved in writing by the proper conference boards as determined by the annual conference.
- C. Each annual conference may appoint a buildings and locations committee of not less than three or the Administrative Committee may serve this function. No real property shall be purchased, or building constructed within the bounds of the conference without this committee's approval in writing both of the location and the plan of the building, and of the title of the property. When a church building is involved, this Committee shall make sure that proper accommodations have been made for the projected ministries before giving its approval.

- D. No houses of worship, parsonages, or other buildings shall be purchased or constructed on leased ground, except on reservations or in other places where it is impossible to secure a deed in fee, or without the unanimous written consent of the Administrative Committee of the annual conference in whose territory the property is situated.