

## **C2.7 DEALINGS IN LAND**

**C2.7.01 Purchase/Sale/Lease** The Trustees may as to any Land held or to be held for any particular use, activity, service or object of the Church (including use by any Congregation) upon request by the Committee of Management, Board or Governing Committee of such activity or service:

- (a) purchase such Land,
- (b) lease, mortgage, sell, grant or release easements, exchange and otherwise deal with such Land, and
- (c) negotiate resumption claims in respect of such Land.

Where such Land is held for a Congregation, the Congregation shall obtain the consent of the Presbytery prior to submitting its request to the Trustees.

*Where land is in a **Home Mission Station** the Trustees also require the consent of the Ministry & Mission Committee (The Code Part 2: Reg 1.16).*

**C2.7.02 Supporting Documents** In respect of any request to the Trustees under regulation C2.7.01 to purchase, lease, mortgage, sell, exchange, act on a resumption or otherwise deal with Land the relevant Committee of Management, Board or Governing Committee shall provide to the Trustees:

- (a) a plan of the Land proposed to be dealt with which is acceptable to the Trustees,
- (b) a certificate of valuation by a licensed real estate valuer or other evidence of value acceptable to the Trustees,
- (c) a survey identification report (*not required for residential leases*),
- (d) a building inspection report (in the case of a purchase), and
- (e) a pest report (in the case of a purchase).

*If buying a **Manse**: the Trustees require a floor plan of the residence supported by comments from the M&M Superintendent as to its suitability for use as a manse.*

The Trustees may if there are special circumstances upon request by the Committee of Management, Board or Governing Committee agree to waive any of these requirements.

**C2.7.03 Evidence of Consent to Deal with Land** Where on any dealing with Land the consent of the Congregation is required such consent shall be:

- (a) given at a meeting of such Congregation duly convened for the specific purpose, and
- (b) evidenced by a copy of the minute passed at such meeting giving the numbers voting for and against the motion carried and signed by the chairman and secretary of such meeting.

A copy of such minute shall be provided to the Presbytery and the Trustees when any request of the kind referred to in regulation C2.7.01 is submitted to the Presbytery and the Trustees.