

VIRGINIA:

**RECEIVED**

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

JAN 31 2007

DAVID A. BELL, CLERK  
Arlington County Circuit Court  
by [Signature] Deputy Clerk

THE PROTESTANT EPISCOPAL CHURCH )  
IN THE DIOCESE OF VIRGINIA, )  
an unincorporated association, )

Plaintiff, )

v. )

THE CHURCH AT THE FALLS - )  
THE FALLS CHURCH, )  
a Virginia non-stock corporation, )

**SERVE:** )

Gammon & Grange PC )  
Registered Agent )  
8280 Greensboro Dr.- 7<sup>th</sup> Floor )  
McLean, Virginia 22102 )

THE REVEREND JOHN W. YATES )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

HENRY BARRATT )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

ANNE CREGGER )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

DON DUSENBURY )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

LARRY MEDLEY )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

ANNE WAIDMAN )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

Case No. 07-125

DAVID GUSTAFSON )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

KEN HAGERTY )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

CAROL JACKSON )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

ROGER TURNER )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

TOM WILSON )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

JOHN WALTER )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

GAIL THOMPSON )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

ELIZABETH LAW )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

MARTHA COOPER )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

KEN BROWN )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

CARLTON HOWARD )  
115 E. Fairfax Street )  
Falls Church, Virginia 22046 )

JOHN DOE )

JANE ROE

and

JAMES FOE

Defendants.

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**COMPLAINT**

Plaintiff, The Protestant Episcopal Church in the Diocese of Virginia, also known as the Episcopal Diocese of Virginia (the “Diocese”), alleges as follows:

**PARTIES**

1. The Diocese is a duly organized and unincorporated religious body or association of Virginia. The Diocese is a constituent part of The Episcopal Church, also known as The Protestant Episcopal Church in the United States of America (“The Episcopal Church”).

2. Defendant The Church at the Falls – The Falls Church (“The Falls Church”) is a parish (a local church) of the Diocese and The Episcopal Church and, as of July 6, 2006, a non-stock corporation organized and doing business under the laws of Virginia. Until approximately December 17, 2006, it functioned and operated as a member congregation of the Diocese and The Episcopal Church. It is named as a defendant because it is currently under the *de facto* control of individuals who have determined to sever ties with The Episcopal Church and the Diocese and yet retain control of the parish’s property for their own use in association with a different church.

3. Defendant the Reverend John Yates formerly served as Rector of The Falls Church and continues to hold himself out as occupying that position. A “rector” of a parish in The Episcopal Church is an ordained priest who has authority and responsibility for the conduct

of the worship and the spiritual jurisdiction of the parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of The Episcopal Church, and the pastoral direction of the bishop of the diocese in which the parish is located.

4. Defendants Henry Barratt, Anne Cregger, Don Dusenbury, Larry Medley, Anne Waidman, David Gustafson, Ken Hagerty, Carol Jackson, Roger Turner, Tom Wilson, John Walter, Gail Thompson, Elizabeth Law, Martha Cooper, Ken Brown, and Carlton Howard formerly served as members of the Vestry (the governing body) of The Falls Church and continue to hold themselves out as occupying those positions. They are referred to collectively as the “Vestry defendants.”

5. Defendants John Doe, Jane Roe, and James Foe are Trustees of The Falls Church. They are referred to collectively as the “Trustee defendants.” The Trustee defendants are named as defendants because, on information and belief, they continue to hold legal title to the real property at issue in this case, which was deeded over the years to the “Vestry of Truro Parrish,” “Trustees of the Episcopal Church known and designated as the ‘Falls Church,’” “Trustees for the Falls Church Episcopal Church,” “Trustees of The Falls Church,” or “Trustees for The Falls Church (Episcopal).”

### **CHURCH HIERARCHY AND RULES**

6. The Episcopal Church is a national hierarchical or super-congregational religious denomination with two subordinate tiers of governance and worship. The Episcopal Church is governed by a “General Convention,” which meets not less than once in each three years. The “Chief Pastor and Primate” of the Church is its “Presiding Bishop,” who is elected by the General Convention and charged, among other duties, with responsibility for leadership in

initiating and developing the policy and strategy in the Church and speaking for the Church as to the policies, strategies and programs authorized by the General Convention.

7. The first subordinate tier of The Episcopal Church is composed of approximately 111 incorporated and unincorporated dioceses located in the United States and other countries, including the Diocese of Virginia (“Diocese”). Each diocese assists in carrying out the Episcopal Church’s mission in a particular geographic territory. Each diocese is under the authority of a diocesan bishop, who serves as the “ecclesiastical authority” and “chief executive officer” in charge of both ecclesiastical and temporal affairs within that diocese. The diocesan bishop is advised by and in certain circumstances shares authority with a “Standing Committee,” a body of elected ordained and lay persons. The governing body of each diocese is generally called its “Annual Convention” or “Council.” The governing body of the Diocese of Virginia is its Annual Council.

8. The 111 dioceses together contain the Church’s second subordinate tier, which is composed of nearly 7,700 individual worshipping congregations. Most of those congregations are “parishes” of the Church. Those congregations that do not meet all of the qualifications for admission as parishes, generally newly-forming congregations, are known as “missions.” Each parish and mission is a subordinate part of the larger Church. Each parish and mission (each “church”) also is a constituent part of the diocese in which it is located. The governing body of each parish is known as its “vestry” and is composed of lay members elected by the voting membership of the parish. The priest in charge of the parish, known as its “rector,” is elected by the vestry and is a member of the vestry.

9. Each parish, either by its membership or by its vestry, elects representatives to the Annual Convention or Council of the diocese in which the parish is located. Each diocese, in

turn, sends bishops, other ordained clergy, and lay representatives as voting members to the triennial meeting of the General Convention of The Episcopal Church. Only clergy and lay members of Episcopal parishes and missions are permitted to participate in the annual meeting of the diocesan Convention or Council. Only clergy and lay members of Episcopal parishes, missions, and dioceses are permitted to participate in the triennial meeting of the General Convention.

10. The Episcopal Church's General Convention has adopted and from time to time amends a Constitution and other rules, known as "Canons," that are binding on all Episcopal dioceses and parishes. Dioceses, through their Conventions or Councils, have adopted and from time to time amend Constitutions and Canons that are binding on their parishes. Each diocese, parish, and mission of the Church is bound by the current Episcopal Church and applicable diocesan Constitutions and Canons, as those are amended over time by the Church's and diocesan Conventions or Councils.

11. Under the terms of its duly adopted Constitution and Canons and Virginia law, the authority of the Diocese extends to all of the churches of The Episcopal Church in a geographical portion of the Commonwealth of Virginia which includes The Falls Church. Each diocese within The Episcopal Church has exclusive jurisdiction over churches within its geographical territory.

12. Neither the General Convention of The Episcopal Church nor the Annual Council of the Diocese has taken steps to create a division of The Episcopal Church or the Diocese, and there has been no "division" within The Episcopal Church or the Diocese within the meaning of Va. Code § 57-9.

13. Under the Constitution and Canons of The Episcopal Church and the Diocese and applicable Virginia law and deeds, the Diocese has property and contractual rights in the real and personal property of The Falls Church, which property must be used to carry out the mission of the Episcopal Church.

14. Applicable Canons of The Episcopal Church provide that “[f]or the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto,” the rector of each parish “shall at all times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and access to all records and registers maintained by or on behalf of the Congregation.” The rector’s functions and duties include “full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of this Church, and the pastoral direction of the Bishop.” (Episcopal Church Canon III.9.5.)

15. Applicable Canons of The Episcopal Church and the Diocese forbid churches, vestries and trustees from transferring any consecrated property or any Church or Chapel which has been used solely for divine services, without the consent of the Bishop, acting with the advice and the consent of the Standing Committee of the Diocese. Neither the Bishop nor the Standing Committee of the Diocese has been asked to consent, or has consented, to any property transfer by The Falls Church, its Vestry or its Trustees.

16. Applicable Canons of The Episcopal Church require that property be “secured for ownership and use by a Parish, Mission, Congregation, or Institution affiliated with this Church and subject to its Constitution and canons” as a condition of such property being consecrated. Such Canons further specifically prohibit parishes from encumbering or alienating such real

property without the consent of the leadership of the diocese. Canon II.6.2 of The Episcopal Church states:

It shall not be lawful for any Vestry, Trustees, or other body authorized by laws of any state or Territory to hold property for any Diocese, Parish or Congregation, to encumber or alienate any dedicated and consecrated Church or Chapel, or any Church or Chapel which has been used solely for Divine Service, belonging to the Parish or Congregation which they represent, without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese.

Section 3 of Canon I.7 of The Episcopal Church similarly provides:

No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese.

17. Under applicable Canons of The Episcopal Church and the Diocese, all real and personal property held by and for the benefit of churches that are constituent parts of the Diocese is held in trust for The Episcopal Church and the Diocese.

18. Under the Constitution and Canons of The Episcopal Church and the Diocese, a parish may not unilaterally “disaffiliate” from the Episcopal Church. Applicable Canons of the Diocese specify the processes by which an Episcopal parish may be formed and admitted into union with the Diocese, and conversely, the processes by which such parish’s status may be changed. All of these events require Diocesan approval and action.

19. Under applicable Canons of the Diocese, every person chosen a member of a parish’s vestry (governing body) is required to qualify by subscribing to a declaration and promise in which the vestry member states, among other things, that he or she yields a hearty assent and approbation to the doctrines, worship and discipline of The Episcopal Church.



20. Under applicable Canons of The Episcopal Church, any person accepting any office in The Episcopal Church, including the offices of parish vestry and trustee, must well and faithfully perform the duties of that office in accordance with the Constitution and Canons of The Episcopal Church and of the diocese in which the office is being exercised.

21. The Episcopal Church is a member of the Anglican Communion. The Anglican Communion is not a hierarchical or super-congregational church. It is a loosely knit fellowship of independent regional churches around the world, known for the most part as “provinces,” that trace their respective roots to the Church of England, are recognized by the Archbishop of Canterbury as being in “communion” with him, and are constituent members of the Anglican Consultative Council.

#### **DEFENDANTS’ ACTIONS**

22. On information and belief, and notwithstanding the provisions of the Constitution and Canons of The Episcopal Church and the Diocese, the deeds to real property, and applicable Virginia law, certain members of The Falls Church, at a purported congregational meeting held from December 10 to December 17, 2006, voted to sever The Falls Church’s denominational ties with The Episcopal Church and the Diocese, effective immediately, and that the real and personal property of The Falls Church should be “retained” by the majority of the congregation.

23. Since the actions alleged in paragraph 22 hereof, defendant Yates and the Vestry defendants have unlawfully appropriated the real and personal property of The Falls Church, contrary to the proprietary, contractual and canonical rights of The Episcopal Church and the Diocese, and have put such real and personal property to uses other than as properties of a church of The Episcopal Church and the Diocese, all in violation of the Constitution and Canons of The Episcopal Church and the Diocese, applicable Virginia law, and the deeds to such real property.

Further, defendant Yates and the Vestry defendants have denied repeated requests of the lawful Vestry of The Falls Church to use the historic Falls Church for Episcopal Church services.

24. The actions described in paragraphs 22-23 hereof could not and did not affect the interest held by the Episcopal Church and the Diocese in the real and personal property of The Falls Church. The real and personal property of The Falls Church must lawfully be used only for the mission of the Episcopal Church and the Diocese and continues to be held in trust for the Episcopal Church and the Diocese, to be used solely by and for those who continue to worship in affiliation with and carry out the mission of the Episcopal Church and the Diocese.

25. Defendants have nevertheless taken the position that the actions alleged in paragraphs 22-23 hereof served to extinguish the interests of The Episcopal Church and the Diocese in the real and personal property held by The Falls Church.

#### **PLAINTIFF'S RESPONSES**

26. On January 18, 2007, the Standing Committee of the Diocese, acting pursuant to the Canons of The Episcopal Church, determined that defendant Yates and certain other clergy have abandoned the communion of the Episcopal Church, on the ground that such clergy are functioning as ordained clergy for congregations that have severed ties with the Episcopal Church and the Diocese of Virginia; that by doing so, they are leading congregations that have declared that they do not recognize the ecclesiastical or legal authority of either the Episcopal Church or the Diocese of Virginia; and that as a result, they have openly renounced the doctrine, discipline or worship of the Episcopal Church. A copy of the Standing Committee's determination is attached hereto as Exhibit 1.

27. On January 22, 2007, the Bishop of the Diocese affirmed the determination of the Standing Committee that defendant Yates and certain other clergy have abandoned the

communion of the Episcopal Church and accordingly inhibited such clergy from exercising their priestly ministry, including officiating in the Diocese of Virginia, for a period of six months. The Bishop further determined that unless such clergy fulfill applicable canonical requirements and transmit a retraction of their actions within six months, they will be removed from the ordained ministry of the Church. A copy of the Bishop's determination is attached hereto as Exhibit 2.

28. On January 18, 2007, the Executive Board of the Diocese, acting pursuant to the Constitution and Canons of the Diocese, resolved that it regarded the real and personal property theretofore owned or used by The Falls Church as abandoned property because such real and/or personal property has ceased to be so occupied or used by the Congregation of The Falls Church. The Executive Board further declared such real and/or personal property of The Falls Church abandoned, resolved to take charge and custody of such real and/or personal property, and directed the Trustees of The Falls Church to transfer all such real and/or personal property to the Bishop of the Diocese of Virginia. The Executive Board further resolved that the Bishop was authorized to take such steps as he might determine to be necessary to recover or secure such real and/or personal property, including, without limitation, initiating and participating in appropriate legal proceedings. The Executive Board's action is specifically authorized by Canon 15.3 of the Diocese of Virginia, which provides, in pertinent part:

[W]hensoever any property, real or personal, formerly owned or used by any congregation of the Episcopal Church in the Diocese of Virginia for any purpose for which religious congregations are authorized to hold property under the provisions of the Code of Virginia or any amendment thereof, has ceased to be so occupied or used by such congregation, so that the same may be regarded as abandoned property by the Executive Board, which shall have the authority to declare such property abandoned and shall have the authority to take charge and custody thereof, the Executive Board shall take such steps as may be necessary to transfer the property to the Bishop or the Ecclesiastical Authority; or to sell it.

A copy of the Resolution of the Executive Board so resolving is attached hereto as Exhibit 3.

### CAUSES OF ACTION

29. Notwithstanding the foregoing, defendant Yates and the Vestry defendants remain in possession of the real and personal property of The Falls Church and refuse to deliver possession or transfer title thereto to the Bishop of the Diocese.

30. The continued occupancy, possession and use of the properties of The Falls Church by defendant Yates and the Vestry defendants have resulted in a trespass, conversion and illegal alienation of such properties in violation of the Constitution and Canons of The Episcopal Church and the Diocese, the deeds to such real property, and applicable Virginia law.

31. There is an actual, antagonistic controversy between the parties.

WHEREFORE, Plaintiff requests that the Court

(a) enter a judgment declaring that there has been an improper trespass, conversion, alienation and use of the real and personal property of The Falls Church;

(b) affirm the trust, proprietary and contract rights of the Diocese in such property;

(c) restrain and enjoin defendant Yates and the Vestry defendants from further use and occupancy of such property;

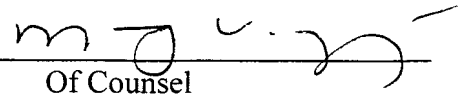
(d) direct and require the Trustee defendants to convey and transfer the legal title to such property to the Bishop of the Diocese;

(e) direct and require defendant Yates and the Vestry defendants to convey and transfer control of such property to the Bishop of the Diocese; and

(f) order an accounting by defendant Yates and the Vestry defendants of the use of all real and personal property of The Falls Church.

THE PROTESTANT EPISCOPAL CHURCH  
IN THE DIOCESE OF VIRGINIA

By: \_\_\_\_\_



Of Counsel

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Counsel for the Protestant Episcopal Church in the Diocese of Virginia

1579948

Standing Committee of  
The Episcopal Diocese of Virginia

EXHIBIT  
1  
tabbies

January 18, 2007

The Rt. Rev. Peter James Lee  
Bishop of Virginia  
110 W. Franklin Street  
Richmond, Virginia 23220

Dear Bishop Lee:

Pursuant to Title IV, Canon 10, Section 1 of the Canons of the Episcopal Church, with ten of the eleven members of the Standing Committee being present, the Committee determined unanimously that


The Rev. Robin T. Adams	The Rev. George R. Beaven	The Rev. Mark W. Brown
The Rev. Marshall Brown	The Rev. Neal H. Brown	The Rev. Jeffrey O. Cerar
The Rev. E. Kathleen Christopher	The Rev. Richard C. Crocker	The Rev. Ramsey D. Gilchrist
The Rev. Jack W. Grubbs	The Rev. John A.M. Guernsey	The Rev. David R. Harper
The Rev. David N. Jones	The Rev. Nicholas P. N. Lubelfeld	The Rev. Marion D. Lucas, III
The Rev. Herbert J. McMullan	The Rev. Elijah B. White	The Rev. Robin Rauh
The Rev. Valarie A. Whitcomb	The Rev. John W. Yates II	The Rev. Frederick M. Wright

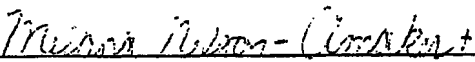
have abandoned the communion of the Episcopal Church. The Standing Committee has relied upon the following acts or declarations, among others, in making this determination:

The clergy listed above are functioning as ordained clergy for congregations that have severed ties with the Episcopal Church and the Diocese of Virginia. By doing so, these priests are leading congregations that have declared that they do not recognize the ecclesiastical or legal authority of either the Episcopal Church or the Diocese of Virginia. As a result, each of these priests has openly renounced the doctrine, discipline or worship of the Episcopal Church and, therefore, has abandoned the communion of this Church.

We are grievously sorry that the actions of these clergy have necessitated this determination. We fervently hope that these priests will avail themselves of their rights under Section 2 of Canon 10 of Title IV and return to the Episcopal Church.


Faithfully,

  
Col. Jean D. Reed, President

  
The Rev. Melana Nelson-Amaker

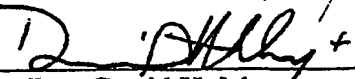
  
Ms. Sarah C.R. Bartenstein

  
The Rev. Penelope M. Bridges

  
The Rev. Jesús Reyes

  
The Rev. Dr. Hilary B. Smith, Secretary

  
Mr. Richard F.E. Shirey

  
The Rev. David H. May

  
Mr. Henry D.W. Burt II

  
The Very Rev. Randolph M. Hollerith

# The Diocese of Virginia

EXHIBIT

tabbies

2

The Right Reverend Peter James Lee  
The Bishop of Virginia

To: The Most Rev. Katharine Jefferts Schori, The Presiding Bishop  
The Recorder of Ordinations  
The Church Pension Fund  
The Church Deployment Board  
The Secretary of the House of Bishops  
The Secretary of the House of Deputies  
The Bishops of the Episcopal Church  
The Clergy of the Diocese of Virginia  
The Vestries of the Diocese of Virginia  
The Secretary of the Diocese of Virginia  
The Standing Committee of the Diocese of Virginia

## NOTICE OF INHIBITION

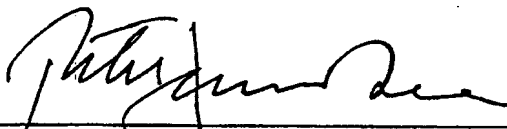
Under the provisions of Title IV, Canon 10 of the Constitution and Canons of the Episcopal Church, the Standing Committee of the Diocese of Virginia has determined that

The Rev. Robin Adams	The Rev. George Beaven	The Rev. Mark Brown
The Rev. Marshall Brown	The Rev. Neal Brown	The Rev. Jeffrey Cerar
The Rev. Kathleen Christopher	The Rev. Richard Crocker	The Rev. Ramsey Gilchrist
The Rev. Jack Grubbs	The Rev. John Guernsey	The Rev. David R. Harper
The Rev. David N. Jones	The Rev. Nicholas Lubelfeld	The Rev. Marion D. Lucas III
The Rev. Herbert McMullan	The Rev. Robin Rauh	The Rev. Valarie Whitcomb
The Rev. Elijah White	The Rev. Frederick M. Wright	The Rev. John W. Yates II

priests canonically resident in the Diocese of Virginia, have abandoned the communion of the Protestant Episcopal Church in the United States of America. I have affirmed such determination.

Acting in accordance with the provisions of Title IV, Canon 10, Section 1, have inhibited the clergy listed above from exercising their priestly ministry, including officiating in the Diocese of Virginia for six (6) months from this date, and from participating in the councils of this Church and Diocese. Unless, within six (6) months they shall fulfill the canonical requirements and transmit a retraction of their actions, they will be removed from the ordained ministry of the Church, under the provisions of Title IV, Canon 10.2.

Date: January 22, 2007

  
The Rt. Rev. Peter James Lee  
Bishop of the Diocese of Virginia

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**RESOLUTION OF THE EXECUTIVE BOARD  
OF THE PROTESTANT EPISCOPAL CHURCH IN  
THE DIOCESE OF VIRGINIA**

**Recitals**

1. At a meeting of the Executive Board on January 8, 2007, the Executive Board agreed to have a special meeting on January 18, 2007, by conference call.
2. Notice of the special meeting of the Executive Board was mailed or otherwise delivered to each member at least seven days in advance of the special meeting.
3. At the special meeting the Executive Board was informed that a majority of the congregation of The Falls Church, Falls Church, has purportedly voted to withdraw from The Episcopal Church and the Diocese of Virginia and that such majority is in possession of and exercising control of the real and/or personal property of The Falls Church, Falls Church.
4. Article XVII of the Constitution of the Diocese of Virginia provides that "Every Congregation within the Diocese of Virginia, however called, shall be bound by the Constitution and the Canons adopted in pursuance thereof."
5. Canon 1.7.3 of The Episcopal Church and Canon 15.2 of the Diocese of Virginia forbid vestries from alienating, selling, exchanging, encumbering or otherwise transferring any real property, including but not limited to consecrated property for any Church or Chapel which has been used solely for divine services, without the consent of the Bishop and the Standing Committee of the Diocese.
6. The President reported that neither he (in his capacity as Bishop) nor the Standing Committee has been asked to consent, nor will either of them consent, to transfer of properties of The Falls Church, Falls Church.



7. Under Canon 1.7.4 of The Episcopal Church, "all real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for [the Episcopal] Church and the Diocese thereof in which such Parish, Mission or Congregation is located." Similarly, under Canon 15.1 of the Diocese of Virginia "all real and personal property held by or for the benefit of any Church or Mission within this Diocese is held in trust for The Episcopal Church and the Diocese of Virginia." Thus, the properties of The Falls Church, Falls Church are trust properties.

8. Canon 15.3 of the Diocese of Virginia provides as follows:

[W]hensoever any property, real or personal, formerly owned or used by any congregation of the Episcopal Church in the Diocese of Virginia for any purpose for which religious congregations are authorized to hold property under the provisions of the Code of Virginia or any amendment thereof, has ceased to be so occupied or used by such congregation, so that the same may be regarded as abandoned property by the Executive Board, which shall have the authority to declare such property abandoned and shall have the authority to take charge and custody thereof, the Executive Board shall take such steps as may be necessary to transfer the property to the Bishop or the Ecclesiastical Authority; or to sell it.

NOW THEREFORE, by the authority vested in it by Canon 15.3 of the Diocese of Virginia, the Executive Board resolves as follows:

#### Resolutions

(1) The Executive Board regards the real and/or personal property heretofore and formerly owned or used by the Congregation of The Falls Church, Falls Church, a Church of The Episcopal Church in the Diocese of Virginia for purposes for which religious congregations are authorized to hold property under the provisions of the Code of Virginia, as abandoned property because such real and/or personal property has ceased to be so occupied or used by such Congregation.

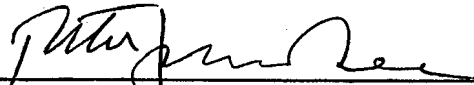
(2) The Executive Board accordingly declares the real and/or personal property of The Falls Church, Falls Church abandoned.

(3) The Executive Board hereby resolves to take charge and custody of such real and/or personal property.

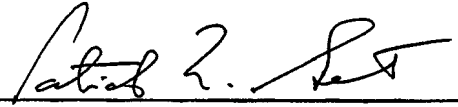
(4) The Executive Board hereby directs the Trustees of The Falls Church, Falls Church to transfer all such real and/or personal property to the Bishop forthwith.

(5) The Bishop is authorized to take such steps as he may determine to be necessary to recover or secure such real and/or personal property, including, without limitation, initiating and participating in appropriate legal proceedings.

Date: Jan 22, 2007

  
The Right Reverend Peter James Lee, Bishop  
and President of the Executive Board of the  
Protestant Episcopal Church in the  
Diocese of Virginia

ATTEST:

  
Coordinator of the Executive Board of the  
Protestant Episcopal Church in the Diocese of Virginia

#1578901