

DIOCESE OF NORTH CAROLINA

Exhibit C-1

Forms of Resolutions for Easement or Right of Way⁹

(Updated through November 16, 2009)

Parish:

RESOLVED, that the Parish of _____, Diocese of North Carolina (the “Parish”), acting through its duly elected vestry, does hereby determine that it is in its best interests to grant to _____ [name of grantee] (the “Grantee”) an [easement] [right of way] encumbering the Real Property known and described as _____ [insert description of property] (the “Property”), for a consideration of \$ _____ [insert rental rate] and [a term of ___ years] [in perpetuity], and, in connection with such determination, does find that the grant of such [easement] [right of way] will [enhance] [not injure] the Property. The Grantee [has] [does not have] the power of eminent domain.

FURTHER RESOLVED, that the net proceeds from the grant of the [easement] [right of way] shall be used to _____ [insert proposed uses such as “added to the permanent funds of the Parish,” “make necessary repairs to the Parish house,” etc.]

FURTHER RESOLVED, that the Senior Warden and the Junior Warden be, and each of them hereby is, authorized and directed to seek the written consent of the Ecclesiastical Authority of the Diocese by submitting a certified copy of these resolutions and the additional materials required by the Standing Committee of the Diocese for its advice and consent, all as provided by the Canons of the Diocese.

FURTHER RESOLVED, that after receiving the written consent of the Ecclesiastical Authority of the Diocese, the Senior Warden and the Junior Warden be, and each of them hereby is, authorized, empowered and directed to execute and deliver all such documents and instruments as they may deem necessary or appropriate to effect the foregoing transactions.

⁹ Diocesan institutions (other than parishes and missions) may use or adapt one of these forms of resolution, depending on whether the property in question is held by the Governing Body directly (in which case the form for a parish would be used) or by the Trustees of the Diocese for the benefit of the institution (in which case the form for a mission would be used).

GUIDELINES FOR REAL ESTATE TRANSACTIONS

Mission:

RESOLVED, that the Mission of _____, Diocese of North Carolina (the "Mission"), acting through its duly elected vestry, does hereby determine that it is in its best interests to grant to _____ **[name of grantee]** (the "Grantee") an **[easement] [right of way]** encumbering the Real Property known and described as _____ **[insert description of property]** (the "Property"), for a consideration of \$ _____ **[insert rental rate]** and **[a term of ___ years] [in perpetuity]**, and, in connection with such determination, does find that the grant of such **[easement] [right of way]** will **[enhance] [not injure]** the Property. The Grantee **[has] [does not have]** the power of eminent domain.

FURTHER RESOLVED, that the net proceeds from the grant of the **[easement] [right of way]** shall be used to _____ **[insert proposed uses such as "added to the permanent funds of the Mission," "make necessary repairs to the Mission church house," etc.]**

FURTHER RESOLVED, that the Senior Warden and Junior Warden be, and each of them hereby is, authorized and directed to seek, as provided by the Canons of the Diocese: (i) the consent of the Ecclesiastical Authority of the Diocese by submitting a certified copy of these resolutions and the additional materials required by the Standing Committee of the Diocese for its advice and consent, and (ii) the concurrence of the Trustees of the Diocese.