

SECTION 1 - ADMINISTRATION

1.5 Agreements (continued...)

1.5.1 Fraser Basin Property Society / The Territory of the People Anglican Church / Parishes

MEMORANDUM OF UNDERSTANDING

AMONGST:

The Fraser Basin Property Society
700-275 Lansdowne Street
Kamloops BC V2C 6H6
(hereafter "FBPS")

AND:

The Territory of the People Anglican Church
360 Nicola Street
Kamloops BC V2C 2P5
(hereafter "The Territory")

AND:

The Right Reverend Lincoln Mckoen
360 Nicola Street
Kamloops BC V2C 2P5
(hereafter "the Bishop")

AND: [Fill in name of Parish]

WHEREAS:

The Diocese of Cariboo in Synod at Quesnel British Columbia held the 13th, 14th, and 15th days of October 2000 chose voluntarily to cease operations and subsequently conveyed real property legal title held in the name of the Diocese of Cariboo to FBPS;

AND WHEREAS;

FBPS was incorporated November 9, 2001 and holds legal titles to various real properties as a bare Trustee for Parishes within the Territory;

AND WHEREAS:

The Territory is a legal entity duly constituted as a Diocesan Organization

AND WHEREAS:

The Bishop and the Bishop's successors from time to time recognize the governance model inherent in this MOU and amongst FBPS, the Territory, and the Parishes is intended to evolve over time;

AND WHEREAS:

The Parishes each agree governance of collective and individual Parish interests now requires more consensus building and greater participation in decision making than was required under the Diocese of Cariboo governance model.

NOW THEREFORE IT IS AGREED AND ACCEPTED THAT:

1. FBPS holds legal title to Parish properties as a Bare Trustee; FBPS does not manage any process leading to the sale, mortgaging, renovation or other action resulting in a change to the title of properties held by FBPS in trust; AND all equity and beneficial interest in properties held by FBPS in trust is owned by the Parish for which legal title is held.
2. As a Bare Trustee holding legal title to real property, FBPS will execute a legal instrument resulting in change to the legal title of a property only after receiving a written request from the Parish.
3. Before acting on the written request from a Parish, FBPS will require that the written request include confirmation in writing from the Bishop that the procedure followed by the Parish leading to the written request involving a change in title to real property conforms with any procedural requirements agreed to from time to time between the Parishes, The Territory and the Bishop.
4. Any written request from a Parish to FBPS that will result in FBPS receiving funds as the result of a change to the legal title held by FBPS, shall include written direction as to the disposition of such funds; AND if no written direction is given and funds are received by FBPS following a change to the legal title held by FBPS those funds will be held in an interest bearing trust account by the FBPS solicitor until such time as written direction from the Parish is received by FBPS.
5. Each Parish, annually during the month of September either directly or through The Territory, shall advise FBPS in writing that all applicable property taxes have been paid; adequate insurance coverage is in place for any building on property for which FBPS holds the legal title in trust; and the property is being kept in sufficient repair so as not to affect title.
6. From time to time Parishes and the Bishop will develop protocols, processes, best practices and other arrangements in aid of governance throughout the geographic area encompassed by the Territory, including procedures to be followed for making a written request for a change to legal title of property held in trust by FBPS.
7. The Bishop, the Territory and the Parishes agree that any decision resulting in a change to the legal title of properties held by FBPS shall require a Vestry meeting of the Parish and that any written instructions to FBPS consequential to any such decision taken at a Vestry meeting shall comply with all meeting

notice, quorum, voting and other procedural requirements developed and agreed to amongst the Bishop, the Territory and the Parishes.

8. The Territory will notify FBPS in writing of any procedures a Parish must undertake before requesting a change to the legal title of a property held by FBPS for that Parish; PROVIDED ALWAYS that such notice does not impose on FBPS any requirement to act in any manner other than as set out in paragraph 3 herein.
9. If a Parish ceases to exist without giving written instruction to FBPS on the Parish's legal title, FBPS shall be entitled to rely on the written authorization of the Bishop as to designation of beneficial ownership of the legal title or any process leading to the sale, mortgaging, renovation or other action resulting in a change to the said legal title. In the event FBPS holds legal title in trust for a Parish that ceases to exist, without giving FBPS written notification of that fact, FBPS shall rely on the written advice of the Bishop as to which Parish then will be designated to own all beneficial interest(s) in that real property, for which FBPS holds the legal title in trust.
10. Both FBPS and the Parishes agree to ensure all written communications between them also are copied in writing to the Territory.
11. The Bishop and the Territory solely are responsible for developing and maintaining any communication processes amongst the Bishop, the Territory and the Parishes.
12. The Territory and the Parishes undertake responsibility to develop processes, protocols, procedures and other initiatives necessary for an ongoing, evolving governance structure appropriate.
13. This Amendment to the Memorandum can be consented to by the various signatories signing separate counterparts of the Memorandum, which may be delivered by fax or email, and notwithstanding the respective dates of execution of the separate counterparts, shall be deemed to be effective as of ___ day of ___ 202_".

**AGREED TO BY THE BISHOP, FBPS, THE TERRITORY, AND THE PARISHES
REPRESENTED BY THE SIGNATURES AFFIXED BELOW:**

Rt. Rev. Lincoln Mckoen
BISHOP

John Gooding
President, FBPS

Parish Incumbent

Parish Warden

Parish Warden

Please attach written proof of motion passed at Parish Council including date and voting members.