

EPISCOPAL DIOCESE OF ROCHESTER

935 EAST AVENUE
ROCHESTER, NEW YORK 14607

November 15, 2005

To: The Rev. David Harnish, Rector
Ms. Frances Miller, Warden
Mr. Bud Roberts, Warden

Dear David, Frances, and Bud:

Thank you for receiving me on Sunday, November 6, 2005. Thank you, as well, for inviting me to your bible study earlier that morning.

We all know that we are moving closer to our Diocesan Convention this weekend. There are a couple of things that I would like to say. First, I still hold open the hope that you will decide to pay your apportionment, thereby, remaining a congregation in good standing in the diocese. If you pay the apportionment, there will be no need to go forward with the Diocesan Council's resolutions provided for Diocesan Convention action.

If, however, the resolutions go forward and are passed, you will not be authorized to hold services at All Saints Protestant Episcopal Church on Sunday, November 20, 2005. I will come to the church on Sunday morning, at the regular service time to conduct a prayer service and be available with others of my staff to answer any and all questions which members of your congregation may have. I am particularly concerned for those who may not be aware of all that is happening and those who may disagree with actions taken by the leadership of All Saints congregation. I will personally help those members make a connection with the leadership of other congregations in the area.

Canon Karen Hanson and I will be at All Saints Protestant Episcopal Church on Monday morning, November 21, 2005 at 10:00 AM to receive the keys to the doors, the official registers of the church, and to take possession of the building. I fully expect that you or your designee(s) will be there to meet us.

As you know and as we have previously communicated to you, under the National and Diocesan canons all property of the parish, which includes land and buildings as well as endowment and other accounts and church records, is held in trust for the Episcopal Church. In addition, in All Saints case the deeds transferring the land to the church make it clear that the land is to be used for the Episcopal Church. So should the Diocesan Convention take action to declare the parish extinct for its refusal to meet its canonical obligations, the Diocese has an obligation to take control of and protect All Saints assets. New York law has confirmed this authority and upheld this obligation of a diocese over assets of a parish in a case involving a parish no longer part of the Diocese of Albany, *Trustees of the Diocese of Albany v. Trinity Episcopal Church of Gloversville*.

THE RT. REV. JACK M. MCKELVEY
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Obviously, should it be necessary, the Diocese would appreciate the cooperation of your wardens, vestry and you in this regard.

David, again, I offer to personally meet with you at a place of your choice to talk pastorally with you about this issue.

Faithfully,

A handwritten signature in black ink, appearing to read "Jack M. McKelvey". The signature is fluid and cursive, with the first name "Jack" being particularly prominent.

The Rt. Rev. Jack M. McKelvey
VII Bishop of Rochester

JMM:cm