

CANON 12

Trustees of the Diocese

Section 1. The Bishop, and when there is no Bishop, the President of the Standing Committee, together with two (2) lay persons and two (2) clergy canonically resident in this Diocese, nominated by the Bishop and elected by the Convention shall constitute the Board of Trustees for the Church in this Diocese. The Trustees under the direction of the Convention, or of the Executive Council between meetings of the Convention, shall receive, hold, manage, invest, disburse and transfer trust funds vested in the Trustees, which trust funds shall include funds, monies, and securities (and reinvestments thereof) given or bequeathed to the Diocese or the Trustees, or transferred to the Trustees, (a) in trust on specific terms stated in an agreement or will, or (b) with restrictions or designations as to the use of principal or income and under conditions that require holding the funds, monies or securities for longer than twelve months. The Trustees shall hold title to real estate vested in them as provided in this Canon. The provisions of any will or agreement controlling investment, management, use or disbursement of funds and property vested in the Trustees shall be complied with in each instance. The Trustees shall keep the Diocesan House in repair and the grounds in good order and are authorized to provide an allowance for these purposes.

Section 2. The two (2) lay members and two (2) clergy canonically resident in this Diocese of the Board of Trustees shall serve a term of two (2) years and may not serve more than two consecutive terms. The terms of these two (2) lay persons and two (2) clergy canonically resident in this Diocese shall be staggered so that two (2) trustees, one lay and one clergy, will be elected at each Annual Convention. In 2004, one clergy person shall be elected to serve a one year term and one clergy person shall be elected to serve a two year term, as designated by the Bishop upon placing the names in nomination. Thereafter, persons elected to the Board of Trustees shall serve for two (2) years or until their successors are elected. Persons eligible for election shall be eighteen (18) years of age or older, confirmed communicants in good standing and residents within the Diocese.

Section 3. The Trustees of the Diocese are authorized with the approval of the Executive Council, to transfer trust funds and other investment property of the Diocese, vested in or held by the Trustees, to The Episcopal Foundation of the Diocese of East Carolina, Incorporated, to be held, managed and invested for the benefit of the Diocese, subject in every case to the provisions of any will or agreement controlling investment, management, use or disbursement of said funds and property, and subject to applicable federal and state laws and the constitution and canons of this Diocese and of The Episcopal Church. At any time, on reasonable notice, the Trustees with the approval of the Executive Council may require The Episcopal Foundation of The Diocese of East Carolina, Incorporated, to return and transfer back to the Trustees any trust funds or other investment property transferred to the Foundation pursuant to this section 3. Section 4. (a) Whenever the title to real property in any Parish is vested in the Trustees of the Diocese for the benefit of the Parish, the said Trustees shall have the power to convey said property upon the written request of the Vestry of such Parish, if in the opinion of said Trustees it is advisable so to do; but if, in their opinion, it is not advisable to make such conveyance, they shall report the facts to the next Convention. (b) Whenever title to real property is vested in the Trustees for the benefit of any Mission or organization of the Diocese other than a Parish, the said Trustees shall have the power to convey said property upon written request and approval of the Bishop, or the Ecclesiastical Authority, and upon like request shall have the power to convey the property and reinvest the proceeds in other property, such reinvestment to be held in trust for the benefit of

such Mission or organization. (c) The title to all real estate belonging to the Diocese in its own right is hereby declared to be vested in the Trustees of the Diocese, and the Trustees of the Diocese are hereby authorized to convey said property in fee simple, whenever in their judgment such action is for the best interest of the Diocese, but no such action shall be taken except by unanimous consent of all the Trustees of the Diocese.

Section 5. Any vacancy occurring in this Board by death or otherwise may be filled by the Ecclesiastical Authority.