

FOR IMMEDIATE RELEASE – The Presbytery of Ohio Valley today (July 2, 2007) filed an action in the Vanderburgh Circuit Court seeking a declaratory judgment as to the ownership and title of the property located at 5600 Oak Hill Road in Evansville, Indiana. The Presbytery of Ohio Valley is a middle governing body of the Presbyterian Church (U.S.A.), containing about 83 Presbyterian congregations in the southwestern triangle of Indiana bounded by Terre Haute, Evansville and Madison. The Presbytery is joined in the action by the Synod of Lincoln Trails, a higher governing body of the Presbyterian Church (U.S.A.), who made loans to the Olivet Presbyterian Church. The Olivet Presbyterian Church occupied the church property on Oak Hill Road until the congregation requested that it be dismissed as a member congregation of the Presbyterian Church (U.S.A.) to become a member congregation of the Evangelical Presbyterian Church.

The Presbytery seeks a declaration that it is the legal owner of the church property, but has not sought to evict the Olivet congregation from the building. Before filing the lawsuit, the Presbytery made repeated efforts to come to an amicable agreement for the lease and use of the property, but the Olivet congregation refused to negotiate, and is now claiming an exclusive right to occupy the property. The Presbytery would like to see a resolution of this dispute that allows both denominations to fulfill their respective missions. The Presbytery of Ohio Valley, and its governing body, the Synod of Lincoln Trails, provided financing and other support for the Oak Hill Road church property.

Before dismissal of the Olivet congregation in December 2006, a substantial number of the members joined other Evansville area churches affiliated with the Presbyterian Church (U.S.A.). In December 2006, the remainder of the Olivet congregation changed its denominational affiliation, and the Presbytery allowed the congregation to continue to occupy the church property with the understanding that the congregation would enter into a lease for use of the property. The church is now known as the Olivet Evangelical Presbyterian Church. There are presently about four churches affiliated with the Evangelical Presbyterian Church in Indiana.

The Constitution of the Presbyterian Church (U.S.A.) vests the title for all church property occupied by local congregations in its presbyteries. The United States Supreme Court has repeatedly ruled in favor of upholding provisions of this type in church property disputes. In the Presbyterian Church (U.S.A.), presbyteries are the governing bodies responsible for the mission and government of the church within designated geographic boundaries, and are responsible for seeing that church property is used in furtherance of the mission of the Presbyterian Church. The Presbytery of Ohio Valley is one of three presbyteries located in Indiana.

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