

# Adjacent Property Acquisition

## Description of the Problem

- A congregation's growth can be stifled for a number of reasons, including uninspired leadership, apathetic laity, buildings which are too small or a site which is either landlocked or otherwise too small to accommodate both parking and an appropriately sized facility.
- The last item can be especially troublesome because it seems to leave the congregation at the "mercy" of its neighbors. Often times acquisition of adjacent property is the remedy to this situation.

## Potential Effects if Problem is Not Addressed

- A congregation lacking sufficient property to accommodate appropriate parking which supports building for growth will continue to see lackluster attendance from new and potential members. People looking for a new church home will most quickly cross a church off their list when unable to easily find an open parking space.
- If not handled carefully and with quiet planning, your requests may turn into a "bidding war" for all the sites surrounding your congregation.
- Ultimately, relocation of your congregation to a new larger site may be your only alternative.

## Recommended Course of Action

- Call LCEF's Architectural Advisory Committee (AAC) to request a Site and Facility Analysis to determine the proper size your congregation's site should be to best accommodate your present and future needs.
- Request a visit from your nearest AAC architectural advisor to seek his advice on the potential best adjacent property or properties on which to focus. Gather as much information as is available on each, including owner's name and contact information, zoning, easements and other restrictions, taxes assessed, etc.

- For those adjacent properties which are owned by church members, have an informal conversation with them to determine if they may wish to consider a future sale, right of first refusal agreement or outright bequest in their estate planning. Seek help from these members to find out as much as you can about their non-member neighbors as well as their willingness to act on behalf of the church in such discussions.
- For those adjacent properties owned by non-members, seek to secure a right of first refusal agreement from the current owners of each adjacent property. To accomplish this you may wish to:
  - Consider joining or starting organizations of common interest to you and your neighbors such as “Neighborhood Watch” to get to know them prior to meeting with them.
  - Contact the neighbors individually to request a friendly meeting concerning a matter of mutual importance.
  - Form a small committee of your most charismatic members, including members who own adjacent properties, to meet with other adjacent property owners.
  - Have the small group meet with the neighbors individually requesting the agreement. Consider offering a nice gift such as a weekend at a local resort, to those willing to sign an agreement.
- Seek also real estate and legal counsel in the valuation of the property and the preparation of the right of first refusal agreement.

### Related Links

- [http://en.wikipedia.org/wiki/Right\\_of\\_first\\_refusal](http://en.wikipedia.org/wiki/Right_of_first_refusal)
- <http://freelegalforms.uslegal.com/real-estate/right-of-first-refusal/>

***Contact LCEF to find an Architectural Advisory Committee member near you for additional information.***


**Lutheran Church Extension Fund**  
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*The mission of the Lutheran Church Extension Fund is to support The Lutheran Church—Missouri Synod in the sharing of the Gospel of Jesus Christ by being a Christ-centered servant partner, ensuring that funds and services are available now and in the future.*

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