



Office of the Bishop

HIS EXCELLENCY

MOST REVEREND DAVID A. KONDERLA

By the Grace of God and the Authority of the Apostolic See

Bishop of the Diocese of Tulsa

DECREE OF DECONSECRATION AND RELEGATION TO PROFANE BUT NOT SORDID USE
OF SAINT FRANCIS XAVIER, STILLWATER

Canon 1212: Sacred places lose their dedication or blessing if they have been destroyed in large part, or have been turned over permanently to profane use by decree of the competent ordinary or in fact.

Canon 1222 §1: If a church cannot be used in any way for divine worship and there is no possibility of repairing it, the diocesan bishop can relegate it to profane but not sordid use.

§2. Where other grave causes suggest that a church no longer be used for divine worship, the diocesan bishop, after having heard the presbyteral council, can relegate it to profane, but not sordid use, with the consent of those who legitimately claim rights for themselves in the church and provided that the good of souls suffers no detriment thereby.

A church may be relegated to a profane but not sordid use when, after hearing the Presbyteral Council, the diocesan bishop determined there is a “grave cause” or “grave causes” indicating a church should no longer be used for the divine worship and that the good of souls suffer no detriment from the relegation. A Definitive Sentence of the College of the Supreme Tribunal of the Apostolic Signatura given May 4, 1996, outlined conditions all together constituted the grave causes as follows: 1) the perseveration of all the churches would impose an intolerable burden on the new parish; 2) the church in question was no longer service to the pastoral care of the faithful; 3) the sale of the church and its property would offer assistance to the new parish (*Ministerium Iustitiae: Jurisprudence of the Supreme Tribunal of the Apostolic Signatura*, Montreal: W&L (2011): Prot. N 24388/93 CA. pp. 526-527.

The old Saint Francis Xavier church was erected in 1950 at 601 S. West St., Stillwater. For many years, the old church building and adjacent property had been the main location for the pastoral actives. As the parish grew, a new site was purchased in response to the needs of the growing parish. Having the

new parish church built and dedicated on April 2018, all the pastoral activities were moved to the new location 711 N Country Club Rd, Stillwater, OK 74075.

From May 2021 to January 2023 while St. John the Evangelist Parish (university parish) was building their new church, the old Saint Francis Xavier church became a temporary place of worship for the students of Oklahoma State University. After the completion of the Saint John Church, the old Saint Francis Xavier church was left unutilized, while basic maintenance has been continuously provided. According to Very Reverend Brian O'Brien, Pastor of the Parish of Saint Francis Xavier in Stillwater, "Now that St. John's is built and St. Francis Xavier is firmly on her feet, the parish is ready to move forward with the razing and sale of the old church and property" (Fr. O'Brien's Letter to Bishop Konderla). This decision is considered from many years of conversations with the parish leadership teams and the parishioners.

Since the dedication of the new church, the old St. Francis Xavier church and property were left unutilized. According to Fr. O'Brien, "the [new church] parish has grown and ministry is reaching all corners of our parish boundaries and beyond" (Letter to Bishop Konderla). The old parish church and the adjacent property are no longer of pastoral service to the faithful, because they have constructed a new parish church and have since started worshiping there. There is currently no pastoral activity at the old parish church and its property.

Although the church building is unused, the basic maintenance is required for the upkeep of the building and its edifices. The expenses to provide basic maintenance of the unutilized church building along with its property would cost Saint Francis Xavier the additional \$40,000 - \$50,000 per year. This additional cost of basic maintenance would impose an intolerable financial burden on the parish and would eventually jeopardize its stable patrimony.

Additionally, the church building requires some additional renovation and repairs if it is ever considered to be preserved. The required cost to have the building repaired and updated would impose \$250,000 on the parish as it has been working diligently to pay for the debt of \$700,000 from the construction of the new church.

Therefore, on October 1, 2023, Very Reverend Brian O'Brien, Pastor of the Parish of Saint Francis Xavier in Stillwater, has requested by official letter to relegate the old church of Saint Francis Xavier on 601 S. West St., Stillwater to profane but not sordid use.

Wherefore:

1. Having carefully considered the law and the facts, we have abundantly established that grave reasons required by canon 1222§2 are present to relegate the church in question;
2. Having heard the Presbyteral Council on two occasions: March 22, 2023 and October 24, 2023;
3. Having heard from the Pastor, who has surveyed the opinion of the Parish Council on March 1, April 1, May 6, and voted on June 3, 2023, with an unanimous approval to relegate the old church to profane but not sordid use and the Parish Finance Council on January 26 and voted on July 27, 2023 with an unanimous approval as well as the opinions of the parishioners during the Town-

Hall meetings on May 2 and May 15, 2023, along with numerous printed material and social media communications;

4. Having ensured by means of the original deeds and other documents as well as having heard from others that there are no donors known as patrimonial rights and, or, their heirs whose consent is needed to place this juridic act, in accordance with the norm of canon 1222§2;
5. Having ensured that its altar, sacred objects, and religious artifacts have been removed from the old church; and
6. Having ensured that the good of souls will suffer no detriment thereby, that is the spiritual and pastoral good of the parishioners of old Saint Francis Xavier on 601 S. West St. Stillwater, OK is now being provided at the new location on 711 N. Country Club Rd. Stillwater, OK 74075;

Therefore I, BISHOP DAVID A. KONDERLA, Bishop of Tulsa, do hereby pronounce, declare, and decree that the parish church of Saint Francis Xavier located 601 S. West St. Stillwater, OK is no longer a sacred place for divine worship. It has herewith lost its blessing, dedication, and consecration. It can no longer be used for divine worship. It is hereto relegated to profane but not sordid use (c. 1222§2).

This Decree is to be communicated to the Pastor of Saint Francis Xavier, Stillwater, who is the canonical representative of the parish, according to the norm of law (c. 532). The pastor is required to communicate this Decree immediately upon receipt to the parishioners by posting it, or least in summary, on the parish website or parish bulletin. Notification of the Decree will also be published on the Diocesan website.

Reconsideration or amendment of this Decree can be delivered to me in writing within the peremptory time limit of ten (10) useful days the legitimate notification of the Decree and in accordance with the norm of law (c. 1734§2).

Given at the Seat of the Diocese of Tulsa on this 29th day of November, 2023, *Wednesday of the Thirty-Fourth Week of Ordinary Time.*



Bishop David A. Konderla

Most Reverend David A. Konderla
Bishop of Tulsa

Dcn. Harrison Garlick

Dcn. Harrison Garlick
Chancellor

Once available, information pertaining to this Decree may be requested by interested parties.