

VINCENT YARDUM
ATTORNEY AND COUNSELOR AT LAW

41 East 42nd Street, New York 17, N. Y.

MURRAY HILL 2-0775-0776

February 2, 1955

Mr. Richard Demirjian
2555 Edgehill Avenue
Cleveland, Ohio

Dear Mr. Demirjian:

In reply to your letter of January 29, 1955, please note as follows:

Several years ago, at the convention of the Armenian churches of America, appropriate resolutions were adopted and the Constitution of the Diocese was amended so as to require all Armenian church properties under the jurisdiction of the Diocese to convey title to the Diocese corporation, the exact name of which is "Diocese of the Armenian Church of America," a New York religious corporation.

Ample safeguards were thrown about the plan whereby no Armenian church property could be sold, mortgaged or otherwise disposed of except with the consent of a real estate committee consisting of eminent members of the Armenian community whose integrity and motives are beyond possible question, said committee members being approved by His Eminence, The Catholics in Etchmiadzin. The whole plan was to protect the Armenian church properties from adverse influences of political organizations, particularly those "Goozagans" whose motives are not consistent with the welfare of our National Church.

From the foregoing, it might appear that the title to the property you are about to acquire should be taken in the name of the Diocese corporation but, for the present, I am disposed to advise against it, although I should explain that this is my personal opinion and I am not speaking officially for the Diocese and its Council.

I think it would be best that you organize a church body, either incorporated or unincorporated, acquire the property and commence to function and operate as a church and then, upon demand, convey the property to the Diocese corporation.

The entire plan of holding title to the church proper-

Mr. Richard Demirjian

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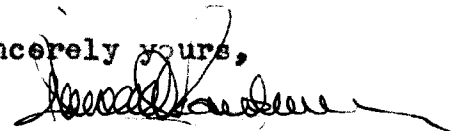
ties did not contemplate the contract and purchase of properties, and did not contemplate that the Diocese be involved in any contractual obligations incident to the purchase of income producing properties with the problems of management and other possible obligations such as assuming a possible purchase money mortgage.

It is altogether against my judgment for the Diocese corporation to be involved in real estate transactions other than to acquire title to properties of the established churches. I cannot recommend that the Diocese corporation be involved in purchasing and establishing new churches.

In conclusion, I must not forget to state that even after the title to the Armenian church buildings is conveyed to the Diocese, the local trustees and parish continue to occupy and use the buildings in every way equal to the way they would do if they owned the property outright.


All of the foregoing can be summarized by the suggestion that you and those interested with you proceed to acquire the property and, for the present, disregard the requirement to ultimately convey title to the Diocese corporation. We will take that up later.

Sincerely yours,



VY:MS

P.S. Perhaps I should have mentioned in my foregoing letter that should you purchase the property mentioned in your letter, and sometime in the future convey title to the Diocese, not only would you enjoy the use of the Church building but any income you derive from the balance of the building would inure to your benefit and would not go to the Diocese.



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Rt. Rev. Bishop Membre Calfayan
Diocese of the Armenian Church
630 Second Avenue
New York 16, N. Y.

My dear Bishop Calfayan:

Here is a copy of a letter I am sending to Mr. Richard Demirjian of Cleveland, Ohio, which I send for your information.

You will note that I am expressing my personal views in this letter and have not spoken for you or on behalf of the Diocesan Council. But I am sure that the opinions I have expressed are sound and should be followed by the Council.

If you think it necessary, you might follow my letter with an official one from yourself.

Respectfully yours,

A handwritten signature in black ink, appearing to be "Vincent Yardum", written over a horizontal line.

Enclosure