

STATE OF MISSISSIPPI  
PIKE COUNTY  
IN THE CHANCERY COURT OF PIKE COUNTY, MISSISSIPPI  
WAS FILED AND RECORDED

2007 FEB 26 PM 1:22

J. J. WHITE MEMORIAL PRESBYTERIAN  
CHURCH OF McCOMB

IN REC. BK. AND PAGE OR U.C.C.  
FILE NO. AS SHOWN  
WITNESS MY HAND AND SEAL

PETITIONER

VS.

*Doug Sandstone*  
CHANCERY CLERK

NO. 2006-644

PRESBYTERY OF MISSISSIPPI

DEFENDANT

FINAL DECLARATORY JUDGMENT

This matter comes before the Court on the Motion, *ore tenus*, requesting entry of a Final Judgment filed on behalf of the Petitioner, J. J. White Memorial Presbyterian Church of McComb, and the defendant, The Presbytery of Mississippi, in the interest of peace and unity among the congregations comprising the Presbytery of Mississippi, which Presbytery having withdrawn its contested pleadings heretofore filed, and the Court, considering the Petition of J. J. White Memorial Presbyterian Church of McComb, the exhibits attached thereto, and applicable law, and finding that entry of a Final Judgment is appropriate, does:

HEREBY ORDER, ADJUDGE AND DECREE that a Judgment be and is hereby issued declaring that all property, whether real or personal, together with all buildings and improvements thereon, wherever located, held by, for or in the name of J. J. White Memorial Presbyterian Church of McComb, or its Trustees, including, but not necessarily limited to the real property described on Exhibit "A" hereto, and all property which may hereafter be acquired in any manner by J. J. White Memorial Presbyterian Church of McComb, or its Trustees, (collectively "the Property"), is held and owned in fee simple for the sole and exclusive use and benefit of J. J. White Memorial Presbyterian Church of McComb, which holds all of the Property titled in its name, or that of its Trustees, in full, complete, fee simple and unfettered ownership, all in accordance with the laws of

the State of Mississippi, Petitioner's recorded deeds and Petitioner's articles of incorporation.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED that neither the Presbytery of Mississippi, nor any person, entity, administrative unit, agency, commission, committee, or governing body acting on behalf of the Presbytery of Mississippi, or in its stead, or claiming by, through or under the Presbytery of Mississippi, has any right, title or interest in or to the Property, whether in trust or otherwise, nor any right to determine or control, directly or indirectly, the use or ownership of the Property.

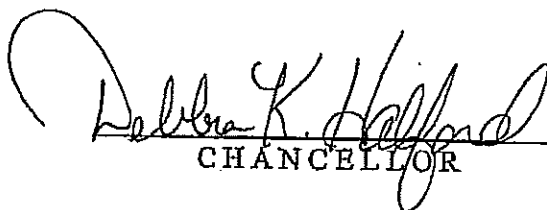
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Presbytery of Mississippi, and any person in active concert or participation with it, on its behalf or in its stead, shall not take any retaliatory action against J. J. White Memorial Presbyterian Church, its officers, agents or employees, that violates, directly or indirectly, this Judgment, or that otherwise may affect the property rights of J. J. White Memorial Presbyterian Church of McComb, or its Trustees, including but not limited to: 1) filing any documents in the mortgage and conveyance records that place a cloud on title to the Property, or 2) otherwise making any claim with respect to Property, real or personal, held by, for or in the name of the J. J. White Memorial Presbyterian Church of McComb, or its Trustees, which claim to right, title and ownership of its property is fully adjudicated herein, as reflected by this Final Judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions of this Final Declaratory Judgment shall supercede and moot this Court's entry of the Stipulated Preliminary Injunction in this cause December 15, 2006.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this Final Judgment shall be indexed in the land records maintained by the Chancery Clerk of Pike County, Mississippi.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Judgment shall be considered a Final Judgment in accordance with Rule 58 MRCP and the Clerk is directed to enter same upon the general docket of the Court pursuant to Rule 79(a) MRCP and provide the parties with notice of such entry pursuant to Rule 77(d) MRCP.

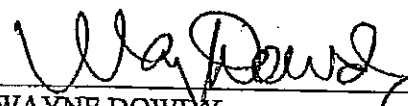
SO ORDERED, ADJUDGED AND DECREED on this 26<sup>th</sup> day of February, 2007.

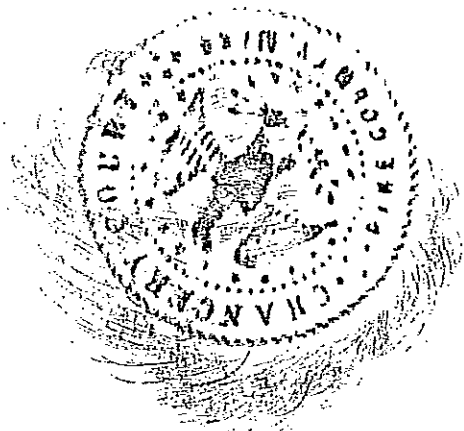
  
CHANCELLOR

APPROVED BY:

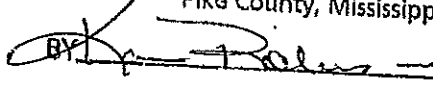
PRESBYTERY OF MISSISSIPPI

  
BY: REV. JOHN C. DUDLEY, D.Min.  
STATED CLERK

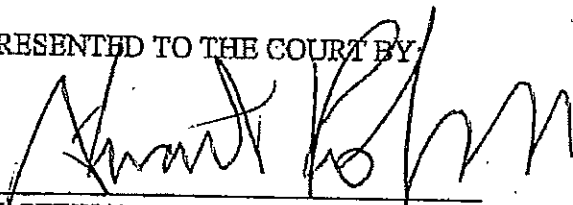
  
WAYNE DOWDY,  
ATTORNEY FOR THE PRESBYTERY  
OF MISSISSIPPI



CERTIFIED TO BE A TRUE COPY  
This 26 day of Feb, 2007.  
DOUG TOUCHSTONE, Chancery Clerk  
Pike County, Mississippi

BY 

PRESENTED TO THE COURT BY



---

W/ STEWART ROBISON  
ROBISON & HOLMES, PLLC  
Attorneys and Counselors at Law  
Post Office Drawer 1128  
McComb, Mississippi 39649-1128  
Mississippi Bar No. 5630  
Telephone (601) 249-3112  
Facsimile (601) 684-0566  
e-mail: [stewartr@robison-holmes.com](mailto:stewartr@robison-holmes.com)  
ATTORNEY FOR J. J. WHITE MEMORIAL  
PRESBYTERIAN CHURCH OF McCOMB

## EXHIBIT "A"

### TRACT I

Lots 1 and 2 in Square S of the City of McComb City, Pike County, Mississippi, together with improvements situated thereon and all appurtenances thereunto belonging. (Acquired January 11, 1883)

### TRACT II

Beginning at a point on the Eastern boundary of Square S on Third Street where the South line of an alley running East and West intersects the said boundary and street 182 feet 8 inches South of the Northeast corner of said Square; and running from said point of beginning in a Westerly direction along said alley parallel with the Northern boundary of Square 79 and two-thirds feet; thence Southerly parallel with the Eastern boundary of the Square 25 feet; thence Easterly parallel with the Northern boundary of the Square 79 and two-thirds feet to its Eastern boundary on said Third Street; thence Northerly along said boundary and street 25 feet to the point of beginning; said property being located in Square S, City of McComb City, Pike County, Mississippi, together with all improvements thereon and appurtenances thereunto belonging. (Acquired January 8, 1965)

### TRACT III

Beginning at a point on the South boundary line of Square "S" on Minnesota Avenue at a point 79  $\frac{2}{3}$  feet in a Westerly direction from the Southeast corner of said Square "S", and running thence Northerly at a right angle 150 feet to an alley, thence Westerly along the alley parallel with said Southern boundary 53  $\frac{2}{3}$  feet, thence Southerly parallel with the Eastern boundary of said Square "S" 150 feet to the said Southern boundary on Minnesota Avenue, thence Easterly along said Southern boundary and avenue 53  $\frac{2}{3}$  feet to point of beginning, together with all the improvements thereon and appurtenances thereunto belonging, situated in Square "S", in the City of McComb, Pike County, Mississippi. (Acquired June 2, 1987)

### TRACT IV

Commencing at the Southeast corner of Lot 10, Square "S", City of McComb City, Pike County, Mississippi, run thence West 45 feet; run thence North 130 feet; run thence East 45 feet; run thence South 130 feet to the point of beginning, being a parcel of land located in Lot 10, Square "S", City of McComb City, Pike County, Mississippi. (Acquired June 2, 1987)

### TRACT V

Commencing 25 feet South of the Northeast corner of Lot 11, Square "S" of the City of McComb City, Pike County, Mississippi, and run thence West 79  $\frac{2}{3}$  feet; thence South 25 feet 9 inches; thence East 79  $\frac{2}{3}$  feet to the West boundary of Third Street; thence North 25 feet 9 inches to point of beginning. (Acquired January 8, 1993)

TRACT VI

Commence at a found iron marking the Northeast corner of Lot 1, Square "S", City of McComb City, Pike County, Mississippi, and run North 59 degrees 34 minutes 22 seconds West, 100.00 feet along the South boundary of Delaware Avenue to a found iron at the Northeast corner of Lot 3, Square "S", and point of beginning. From point of beginning, run South 30 degrees 25 minutes 29 seconds West, 170.00 feet along the East boundary of said Lot 3, Square "S" to a found nail at the Southeast corner of said Lot 3, Square "S"; thence run North 59 degrees 34 minutes 31 seconds West, 3.00 feet along the North boundary of an alley to a set concrete nail; thence leaving alley, run North 30 degrees 25 minutes 29 seconds East, 170.00 feet to a set iron on the South boundary of Delaware Avenue; thence run South 59 degrees 34 minutes 31 seconds East, 3.00 feet along said South boundary of Delaware Avenue to the point of beginning. Said property being a 3.00 foot strip along the East boundary of Lot 3, Square "S", City of McComb City, Pike County, Mississippi, and contains 0.012 acres, more or less. (Acquired December 23, 2003)

TRACT VII

Lot 5, Square "S", West McComb, City of McComb City, Pike County, Mississippi. (Option to Purchase originally acquired April 15, 2004)

Indexing Instructions:

Lots 1, 2, 3, 5, 10 and 11, Square S, City of McComb City, Pike County, Mississippi.