

IN THE CHANCERY COURT OF WARREN COUNTY, MISSISSIPPI

FIRST PRESBYTERIAN CHURCH  
OF VICKSBURG, MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO. 2007-001GN

PRESBYTERY OF MISSISSIPPI

DEFENDANT

STIPULATED PRELIMINARY INJUNCTION

This cause having come on to be heard on Petition for Temporary Restraining Order and Preliminary Injunction filed by the First Presbyterian Church of Vicksburg, Mississippi, against the Presbytery of Mississippi; service of process was made as required by law and the Mississippi Rules of Civil Procedure; the Defendant, Presbytery of Mississippi, filed an answer and the parties having announced agreement as to the disputed issues between them relative to entry of a preliminary injunction, and the court being of the opinion that it has jurisdiction of the parties and the subject matter, does:

ORDER AND ADJUDGE that this Stipulated Preliminary Injunction be and is hereby issued, which shall continue unless modified or amended by the Court for good cause shown following notice and hearing. This Stipulated Preliminary Injunction shall be effective against the Presbytery of Mississippi, its officers, agents, employees, and counsel, and any persons in active concert or participation with its, on its behalf, enjoining the Presbytery of Mississippi from filing any documents in the mortgage and land records of Warren County, Mississippi, to assert ownership, or right to determine ownership to any property titled in the name of First Presbyterian Church of Vicksburg, Mississippi, or its trustees, or to assert a trust interest on behalf of the Presbytery of Mississippi over property titled in the name of the First Presbyterian Church of Vicksburg, Mississippi, or its trustees, the effect of which would be to enforce a general trust interest claimed by any higher governing body against any property, real or personal, or otherwise take any action to claim ownership of local church property, or a right to determine ownership of local church property, in the possession of, control of, or owned by First Presbyterian Church of Vicksburg, Mississippi, or its trustees.

IT IS FURTHER ORDERED AND ADJUDGED that the Presbytery of Mississippi, having convened on November 30, 2006, and adopted a Policy Statement which includes the following provisions, to-wit: The Presbytery of Mississippi recognizes that many of its particular churches believe they hold clear title to their own property; and, the Presbytery of Mississippi recognizes all its particular churches as having the ability to sell, lease, mortgage, or otherwise encumber any of their real property without further written permission of the Presbytery; and, the Presbytery of Mississippi recognizes all its particular churches as having the ability to acquire real property subject to an encumbrance or condition without further written permission of the Presbytery; and, the Presbytery of Mississippi resolves that it shall take no action to enforce any general trust interest by any high governing body against any property, real or personal held by an of its particular churches while they remain under its jurisdiction; and, the Presbytery of Mississippi resolves that it will not resist any particular church of the Presbytery of

Mississippi which would ask the courts of the State of Mississippi to clear its property of any claims made by high governing bodies against that property.

The Presbytery of Mississippi having agreed to be bound thereby, IT IS ORDERED AND ADJUDGED that the Presbytery is hereby so bound.

IT IS FURTHER ORDERED AND ADJUDGED that First Presbyterian Church of Vicksburg, Mississippi, is not required to furnish security as a condition of the issuance of this Stipulated Preliminary Injunction.

IT IS FURTHER ORDERED AND ADJUDGED that this Stipulated Preliminary Injunction be filed in the office of the Chancery Clerk and entered of record, forthwith.

IT IS FURTHER ORDERED AND ADJUDGED that this cause is set for hearing on Plaintiff's Application for Declaratory Judgment for hearing on the 17th day of April, 2007, at 9:00 a.m. in the Chancery Court of Warren County, Mississippi.

SO ORDERED AND ADJUDGED, this the 16th day of January, 2007.

V.R. Baines  
CHANCERY COURT JUDGE

PRESENTED TO THE COURT BY:

M. James Chaney Jr.

M. JAMES CHANEY, JR., MSB #5959  
B. BLAKE TELLER, MSB #9044  
Attorneys for First Presbyterian Church  
of Vicksburg, Mississippi  
TELLER, CHANEY, HASSELL & HOPSON, LLP  
Nogales Building - 1201 Cherry Street  
Vicksburg, Mississippi 39181-0789  
Ph.: 601-636-6565  
Fax: 601-631-0114

ACCEPTED BY:

Wayne Dowdy  
Attorney for Presbytery of Mississippi