

IN THE CHANCERY COURT OF WARREN COUNTY, MISSISSIPPI

FIRST PRESBYTERIAN CHURCH OF
VICKSBURG, MISSISSIPPI, PETITIONER

VS.

NO. 2007-001GN

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, First Presbyterian Church of Vicksburg, Mississippi, and the defendant, The Presbytery of Mississippi, in the interest of peace and unity among the congregations comprising the Presbytery of Mississippi; and the Court, considering the Petition of First Presbyterian Church of Vicksburg, Mississippi, 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 First Presbyterian Church of Vicksburg, Mississippi, 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 First Presbyterian Church of Vicksburg, Mississippi, (collectively "Property"), is held and owned in fee simple for the sole and exclusive use and benefit of First Presbyterian Church of Vicksburg, Mississippi, which holds all of the Property titled in its name 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 persons in active concert of participation with it, on its behalf or in its stead, shall not take any retaliatory action against First Presbyterian Church of Vicksburg, Mississippi, its officers, agents or employees, that violates, directly or indirectly, this Judgment, or that otherwise may affect the property rights of First Presbyterian Church of Vicksburg, Mississippi, 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 First Presbyterian Church of Vicksburg, Mississippi, 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 dated January 16, 2007.

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 Warren 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 ____ day of _____, 2007.

CHANCELLOR

PRESENTED TO THE COURT BY:

B. BLAKE TELLER (MSB# 9044)
M. JAMES CHANEY, JR. (MSB# 5959)
TELLER, CHANEY, HASSELL & HOPSON
1201 Cherry Street - Nogales Building
P.O. Box 789
Vicksburg, MS 39181-0789
Phone: 601-636-6565
Fax: 601-631-0114
ATTORNEY FOR FIRST PRESBYTERIAN
CHURCH OF VICKSBURG, MISSISSIPPI

APPROVED BY:

WAYNE DOWDY,
ATTORNEY FOR THE PRESBYTERY OF MISSISSIPPI