

IN THE CHANCERY COURT OF PIKE COUNTY, MISSISSIPPI

**J. J. WHITE MEMORIAL
PRESBYTERIAN CHURCH OF McCOMB**

VS.

NO. 2006-0644

PRESBYTERY OF MISSISSIPPI

STIPULATED PRELIMINARY INJUNCTION

This cause having come on to be heard on Petition for Temporary Restraining Order and Preliminary Injunction filed by the J. J. White Memorial Presbyterian Church of McComb against the Presbytery of Mississippi, service of process as required by law and the Mississippi Rules of Civil Procedure, Answer of the Defendant, Presbytery of Mississippi, 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 it, on its behalf, enjoining the Presbytery of Mississippi from filing any documents in the mortgage and conveyance records of Pike County to assert ownership, or right to determine ownership to any property titled in the name of the J. J. White Memorial Presbyterian Church of McComb, 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 J. J. White Memorial Presbyterian Church of McComb, 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 J. J. White Memorial Presbyterian Church of McComb, 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 any 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 J. J. White Memorial Presbyterian Church of McComb, Mississippi, is not required to furnish security as a condition to 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 at 9:00 a.m. in the Chancery Annex of Pike County, Mississippi, in Magnolia, Mississippi, on the 4th day of April, 2007.

SO ORDERED AND ADJUDGED, this the _____ day of December, 2006.

DEBBRA K. HALFORD
CHANCELLOR