

**AFFIDAVIT  
AS TO  
INDEPENDENCE AND AUTHORIZATION**

STATE of ALABAMA  
COUNTY of SHELBY

Before me, the undersigned personally appeared the undersigned, who, after being duly sworn, deposes and says the following:

1. We have entered into a contract to mortgage the property described on Exhibit "A" attached hereto.
2. We are an independent church and are not subject to any external orders or procedures as to the alienation of property.
3. We have compiled with all of our internal orders and procedures as to the alienation of the property, and a copy of the resolution authorizing the execution of the mortgage of the property is attached hereto.

This affidavit is given for the purpose of inducing the First American Title Insurance Company to issue its title insurance policy or policies.

November 30, 2007

**THE WILSONVILLE BAPTIST CHURCH OF  
WILSONVILLE, ALABAMA, an Incorporated Church**

By: [Signature] (SEAL)  
Authorized Agent

By: Paul F. Edwards (SEAL)  
Authorized Agent

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 30 day of November, 2007

[Signature]  
Notary Public  
My Commission Expires 6/7/11

## **EXHIBIT "A"**

A parcel of land owned by Wilsonville Baptist Church, situated in Section 1, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

Commence at a shotgun barrel found locally accepted to be the Northeast corner of said Section 1; thence run South 02 degrees, 10 minutes, 04 seconds West along the East line of said Section 1 for a distance of 2,286.87 feet to a point; thence run North 70 degrees, 04 minutes, 29 seconds West for a distance of 234.11 feet to a point; thence run South 72 degrees, 24 minutes, 10 seconds West for a distance of 7.53 feet to the point of beginning at the Northeast corner of M & F Bank Building; thence continue South 72 degrees, 24 minutes, 10 seconds West along the North face of said building for a distance of 90.17 feet to the Northwest corner of said building; thence run South 17 degrees, 35 minutes, 50 seconds East for a distance of 28.00 feet to the Southwest corner of said building; thence run South 72 degrees, 24 minutes, 10 seconds West for a distance of 20.00 feet to a point; thence run South 17 degrees, 35 minutes, 50 seconds East for a distance of 50.00 feet to a point; thence run North 72 degrees, 24 minutes, 10 seconds East for a distance of 20.00 feet to a point; thence run South 17 degrees, 35 minutes, 50 seconds East for a distance of 31.01 feet to a point on the Northwest right-of-way line of Alabama Highway No. 25; thence run South 74 degrees, 51 minutes, 16 seconds West along said Northwest right-of-way line for a distance of 210.00 feet to a point on the East right-of-way line of Pope Street; thence run North 01 degrees, 37 minutes, 44 seconds East along the East line of said Pope Street for a distance of 87.08 feet to a point; thence run North 88 degrees, 26 minutes, 56 seconds West along the North line of said Pope Street for a distance of 26.66 feet to an iron pin found; thence run North 88 degrees, 26 minutes, 56 seconds West for a distance of 166.69 feet to an iron pin found; thence run North 01 degrees, 52 minutes, 18 seconds East for a distance of 19.97 feet to an iron pin found; thence run North 88 degrees, 26 minutes, 56 seconds West for a distance of 89.29 feet to an iron pin set; thence run North 01 degrees, 29 minutes, 11 seconds West for a distance of 75.40 feet to an iron pin found; thence run South 88 degrees, 25 minutes, 48 seconds West for a distance of 24.99 feet to an iron pin set; thence run North 01 degrees, 45 minutes, 32 seconds East for a distance of 8.37 feet to an iron pin found; thence run South 87 degrees, 30 minutes, 36 seconds West along an old fence line for a distance of 207.49 feet to a 3 inch axle iron found; thence run North 00 degrees, 53 minutes, 36 seconds West for a distance of 69.90 feet to an iron pin set; thence run North 89 degrees, 48 minutes, 34 seconds West for a distance of 53.94 feet to an iron pin set; thence run North 02



degrees, 33 minutes, 15 seconds East for a distance of 150.09 feet to an iron pin set; thence run South 89 degrees, 49 minutes, 39 seconds East for a distance of 44.91 feet to a one and one-half inch open top iron found; thence run South 89 degrees, 56 minutes, 05 seconds East for a distance of 460.10 feet to an iron pin set on a curve to the left, having a central angle of 180 degrees, 47 minutes, 08 seconds, a radius of 55.00 feet and a chord bearing of South 22 degrees, 18 minutes, 56 seconds East; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 173.54 feet to a point on the West right-of-way line of Pope Street; thence run South 02 degrees, 25 minutes, 17 seconds West along the West line of said Pope Street for a distance of 14.28 feet to a point; thence run South 87 degrees, 42 minutes, 57 seconds East along the South line of said Pope Street for a distance of 27.17 feet to an iron pin found; thence run North 82 degrees, 27 minutes, 23 seconds East for a distance of 126.58 feet to an iron pin found; thence run North 08 degrees, 57 minutes, 45 seconds West for a distance of 69.97 feet to an iron pin found; thence run North 79 degrees, 41 minutes, 10 seconds East for a distance of 94.44 feet to a railroad spike found on the West right-of-way line of Shelby County Highway No. 61; thence run South 13 degrees, 16 minutes, 51 seconds East along said West line for a distance of 75.03 feet to a cross found; thence run South 15 degrees, 25 minutes, 50 seconds East along said West right-of-way line for a distance of 104.81 feet to a PK nail found on the North right-of-way line of Church Street; thence run South 86 degrees, 17 minutes, 53 seconds West along the North line of said Church Street for a distance of 66.46 feet to a point; thence run South 03 degrees, 42 minutes, 07 seconds East along the West line of said Church Street for a distance of 23.84 feet to a point; thence run North 86 degrees, 36 minutes, 32 seconds East along the South line of said Church Street for a distance of 53.62 feet to a point on the West right-of-way line of Shelby County Highway No. 61; thence run South 17 degrees, 35 minutes, 50 seconds East along said West right-of-way line for a distance of 9.00 feet to the point of beginning; being situated in Shelby County, Alabama.

**SUBJECT TO:** i) taxes and assessments for the year 2008, a lien but not yet payable; ii) restrictions, covenants and conditions set out in Instrument 20060811000392560; iii) transmission line permits to Alabama Power Company as shown by instruments recorded in Deed Book 113, page 291, Deed Book 158, page 557, Deed Book 179, page 91, and Deed Book 179, page 94; iv) right of way granted to Shelby County as shown by instrument recorded in Deed Book 141, page 82 and Deed Book 87, page 467; v) easement to Alabama Power Company as shown by Instrument recorded as Inst. 20071029000497850; vi) terms and conditions set out in deed recorded as Inst 1996-22599; vii) rights of others to use the Access Easement set out in the deeds recorded in Deed Book 275, page 494, Deed Book 325, page 454 and Inst. 20060508000215010; and viii) coal, oil, gas and mineral and mining rights which are not owned by Mortgagor.



## CERTIFICATE OF RESOLUTIONS

OF

### THE WILSONVILLE BAPTIST CHURCH OF WILSONVILLE, ALABAMA, an Incorporated Church

I, the undersigned, do hereby certify that I am the Clerk/Secretary of THE WILSONVILLE BAPTIST CHURCH OF WILSONVILLE, ALABAMA, an Incorporated Church, (hereinafter the "Church") and that the following is a true copy of resolutions duly adopted by the Church and a majority of the trustees and/or directors of said Church at a meeting thereof duly called after ten days notice to each trustee and/or director and held on the 28<sup>th</sup> day of November, 2007.

RESOLVED: that it is to the best interests of this Church to enter into arrangements with M & F BANK herein designated as "Secured Party", providing for financing accommodation to be extended to this Church by said Secured Party and for the creation of security interests in favor of Secured Party upon this Church's present and future tangible or intangible property; and further

RESOLVED: That trustees and/or directors, or any one of them (hereinafter the "Authorized Agents") are hereby authorized and empowered to make, execute, and deliver in the name of this Church a note, mortgage, or agreements with Secured Party, and any renewals, amendments or modifications thereof or of the prior obligations of the Church to Secured Party, and that the Authorized Agent of this Church, and any person whom this Church may from time to time designate, is hereby authorized and empowered to make, execute, and deliver to Secured Party in the name of this Church any and all such assignments, pledges, endorsements, transfers, and other documents and instruments, and to do all such acts, as may be appropriate to consummate transactions between this Church and Secured Party pursuant to such note, renewal notes, mortgage, or agreements; and further

RESOLVED: That all acts and transactions of the Authorized Agents of this Church and of any such mortgagee, designees, done in execution or performance of any such note, renewal notes, mortgage, security agreement and of transactions thereunder, are hereby ratified and approved.

I further certify that the Certificate of Incorporation, By-Laws, and the rules and regulation of said Church contain no provisions requiring a vote or consent of any person other than the directors and/or trustees of the Church to authorize the action set forth in the foregoing resolutions, and that

said resolutions are and remain in full force and effect.

I do further certify that the following persons are those of the trustees and directors of the Church authorized and empowered by the foregoing resolution to act for the Church as its Authorized Agents:

PAUL F. EDWARDS

BIL RIMES

SCOTTY T. MORRIS

BOBBY RAY

LARRY E. GIBSON

GENE DUFFEY

IN WITNESS WHEREOF, I have hereunto set my hand as the Clerk/Secretary of said Church, this 28<sup>th</sup> day of November, 2007.

Mary Ellen Hale  
Clerk/Secretary

The foregoing is hereby  
approved and confirmed:

Steve Morris  
Pastor

[Signature]  
Chair of Trustee/Director Board

Billy Wilson  
Chair of Deacon Board



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Shelby Cnty Judge of Probate, AL  
12/06/2007 09:36:01AM FILED/CERT