

1172

Burr, Forman

This instrument prepared by: W. Benjamin Johnson,
3000 SouthTrust Tower, Birmingham, Alabama 35203

STATE OF ALABAMA)
JEFFERSON COUNTY)

AFFIDAVIT

Before me, the undersigned Notary Public, in and for said County in said State,
personally appeared **REVEREND JAMES S. MOORE, DOUG VAN NATTER, ROBERT
N. CLAYTON, JERRY WEEKS and HOWARD GLASS**, who, after first being duly
sworn, did depose and say as follows:

1. Our names, respectively, are Reverend James S. Moore, Doug Van Natter,
Robert N. Clayton, Jerry Weeks, and Howard Glass, and we are each over the age of
21 years and are each residents of Jefferson or Shelby County, Alabama.

2. Reverend James S. Moore is pastor of The Family Faith Center Church of
God, an unincorporated Alabama religious institution (hereinafter referred to as the
"Church").

3. Doug Van Natter is the clerk of the Church.

4. Robert N. Clayton, Jerry Weeks, and Howard Glass are all of the trustees
of the Church.

5. As such trustees, Robert N. Clayton, Jerry Weeks and Howard Glass
constitute the local board of trustees of the Church, and in such capacity have the full
right, power and authority to sell, exchange, transfer and convey the real and personal
property of the Church, to borrow money on behalf of the Church, to pledge and
mortgage the real and personal property of the Church as security for the repayment
of such borrowed money and to execute all deeds, conveyances, mortgages, promissory
notes and other such instruments to effectuate any of the foregoing transactions;
provided that before consummating any of the foregoing transactions the same must
first be presented to a regular or called conference of the Church presided over by the

BOOK 204 PAGE 856

State Overseer of the Church of God or someone whom he may appoint, and approved by two-thirds of all members of the Church present voting.

6. On _____, 1988, at a regular conference of the Church, presided over by the State Overseer of the Church of God, or one whom he had appointed, more than two-thirds of all members of the Church present and voting approved the following transactions:

(a) That Robert N. Clayton, Jerry Weeks, and Howard Glass, in their capacity as trustees of the Church, borrow the principal sum of \$270,000 from SouthTrust Bank of Alabama, National Association ("SouthTrust") to be repaid with interest at a rate which they, in their capacity as trustees of the Church, shall determine is in the best interest of the Church.

(b) That Robert N. Clayton, Jerry Weeks, and Howard Glass, in their capacity as trustees of the Church, secure the borrowings from SouthTrust with a first real estate mortgage encumbering that certain parcel of real estate more particularly described as follows (the "Real Estate"):

Commence on the Northwest Corner of Section 14, Township 19 South, Range 2 West and run east of the north line of said Section 14 a distance of 190.01 feet to the point of beginning, thence turn right 87°33' and run south a distance of 50.00 feet, thence turn left 47°06'22" and run southeasterly a distance of 436.24 feet, thence turn left 90°00' and run northeasterly a distance of 437.49 feet to the north line of said Section 14, thence turn left 130°26'38" and run west on the north line of said Section 14 a distance of 567.94 feet, thence turn right 87°33' and run north a distance of 303.19 feet to the southeasterly side of Valley Dale Road, thence turn left 134°35' and run southwesterly along the southeasterly side of said road a distance of 70.13 feet, thence turn left 45°25' and run south a distance of 251.83 feet to the point of beginning, containing 2.86 acres.

(c) That Robert N. Clayton, Jerry Weeks, and Howard Glass, in their capacity as trustees of the Church, execute a promissory note payable to SouthTrust to evidence the aforesaid borrowings and execute a real estate mortgage in favor of SouthTrust encumbering the Real Estate as security for said note;

BOOK 204 PAGE 857

(d) That Robert N. Clayton, Jerry Weeks, and Howard Glass, in their capacity as trustees of the Church, execute any and all instruments and perform any and all acts and consummate any and all transactions which they consider appropriate, necessary, or convenient to borrow the aforesaid sum from SouthTrust and to secure the same with a real estate mortgage on the aforesaid Real Estate and that all acts which said trustees may have heretofore taken in negotiating and entering into said transaction on behalf of the Church, including, without limitation, the negotiation and execution of that certain loan commitment dated August 15, 1988, and executed on August 19, 1988, are hereby ratified and approved.

FURTHER, DEPONENTS SAITH NOT.

Dated this 16th day of September, 1988.

RECORDING FEES
 Recording Fee \$ 7.50
 Index Fee 4.00
 TOTAL 11.50

[Signature]
 Reverend James S. Moore - Affiant

[Signature]
 Doug Van Natter - Affiant

[Signature]
 Robert N. Clayton - Affiant

[Signature]
 Jerry Weeks - Affiant

[Signature]
 Howard Glass - Affiant

BOOK 204 PAGE 858

STATE OF ALA. SHELBY CO.
 I CERTIFY THIS
 INSTRUMENT WAS FILED

88 SEP 16 PM 4:05

[Signature]
 JUDGE OF PROBATE

Sworn to and subscribed before me by each of the above affiants this 16th day of Sept., 1988.

[Signature]
 Notary Public

My Commission Expires: 1-14-92