

3018

RESOLUTION/ AFFIDAVIT

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, a Notary Public personally appeared the undersigned, who after being duly sworn and cautioned depose and sayeth as follows:

Comes now the undersigned Affiants and sayeth as follows:

That WHEREAS 10 days notice of a meeting of the CHURCH OF GOD AT ALABASTER (a/k/a ALABASTER CHURCH OF GOD) was given in strict accordance with the Local and State By-Laws of the Church and that the meeting was called for the purpose of borrowing monies from JUANITA F. WOODS in the sum of One Hundred Eighty Thousand and No/hundred Dollars (\$180,000.00). That said sum being borrowed to; (1) pay off that certain Mortgage held by the First National Bank of Columbiana dated August 21, 1991; (2) pay off outstanding loan from the Church of God State Office for \$10,000.00; (3) Cover miscellaneous expenses associated with the new building for the use and benefit of the Local Church. (See Exhibit "A" attached hereto to become part hereof.)

That WHEREAS the General Assembly of the Church of God is the organized body with full power and authority to designated and govern the operations of the Church of God AND the General Assembly has vested in the office of the state overseer authority over the local churches.

That WHEREAS the Minutes and By-laws of the Governing

BOOK 380 PAGE 255

Hella K. Tipton

body specifically state that the Local Board of Trustees shall hold title to, manage, and control, pursuant to the direction of the local congregation by which they are selected, provided that all such property shall be used, managed, and controlled for the sole and exclusive use and benefit of the Church of God, Cleveland, Tennessee, U.S.A. And that the Church of God at Alabaster holds title to property for the sole and exclusive use and benefit of the Church of God, Cleveland, Tennessee, U.S.A. That said property is as described in Exhibit "B" attached hereto, and made a part hereof. That in accordance with the Minutes and By-laws of the Church of God each local church or congregation that owns any real estate, shall appoint a Local Board of Trustee, to consist of not less than three (3) members, and such Local Board of Trustees shall have full right, power, and authority to buy property for the use or benefit of the local congregations; sell, hypothecate, exchange, transfer and convey any of the local property held or borrow money and pledge the said property for the repayment of the same and to execute all necessary deeds, conveyances, and so forth, provided the proposition shall first be presented to the regular or called conference of the local church presided over by the state overseer, or one whom he may appoint, and approved by a two-thirds majority vote and provided further that the board have a certification from the state overseer, or one whom he may appoint, that the proposition is not adverse to the interest of the Church of

God.

That WHEREAS we the undersigned sayeth under oath that we, as Trustees and officers of the Church are authorized to proceed with the mortgage of said property as described in Exhibit "A" and we are empowered, authorized and directed to execute any mortgage or other instruments and documents in order to consummate said loan from Juanita F. Woods.

That a vote was held in accordance with the provisions set out for such and that IT WAS RESOLVED by two-thirds vote of the membership of said Church to mortgage said property

AND THEREUPON, a vote was held on said Resolution and such was that no member voted "Nay". Upon computation of the total number of votes, it appeared that all member present voted "AYE" and thereby recommend and empower that the Trustees and other officers proceed to execute a mortgage or any other papers necessary to consummate said loan.

The we the undersigned Trustees sayeth further that the State Overseer for the Church of God in Alabama, GUARANTEES the loan to JUANITA F. WOODS, which said Guarantee is executed under ABSOLUTE CONTINUING GUARANTY for JUANTIA F. WOODS. See Exhibit "C" attached hereto to become part hereof.

FURTHER, that H. Melvin Massey, as Pastor, and Jimmy Freeman, Steve Cherry and Danny Aultman as Trustee for Church of God at Alabaster hereby certify that the execution of said mortgage as aforesaid has been duly authorized and recommend by a vote of the Church of God at Alabaster (a/k/a Alabaster

Church of God) as aforesaid. Affiants sayeth nothing further.

Sworn to on this the 27th day of December, 1991.

CHURCH OF GOD AT ALABASTER
a/k/a Alabaster Church of God

BY: H. Mike Massey

BY: Steve Cherry

BY: Danny Aultman

BY: Jimmy Freeman

STATE OF ALABAMA)
COUNTY OF SHELBY)

Sworn to and subscribed before me this the 27th day of December 1991, I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that H. Massey, Steve Cherry, Danny Aultman, and Jimmy Freeman, did appear before me and whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me that being informed of the contents of said instrument, they, as such Pastor and Trustees of the Church of God at Alabaster a/k/a Alabaster Church of God and with full authority, executed the same voluntarily for and as their act on the day the same bears dated.

Sworn to and subscribed under my hand and seal of office this the 27th day of December, 1991.

Swan Y Douglas
Notary Public

My Commission Expires: 1-20-95

MY COMMISSION EXPIRES JANUARY 20, 1995



Alabaster
Church of God

EXHIBIT "A"

PASTOR
H. MELVN MASSEY
RES. PH. 663-1521

P. O. BOX 965

• ALABASTER, ALABAMA 35007

• CHURCH PHONE 663-9295

December 26, 1991

To Whom It May Concern:

A meeting with the men of the Alabaster Church of God was held on September 16, 1990. During this meeting a motion was made to borrow \$200,000.00 for the purpose of consolidating loans and to build a new building. This was passed with a unanimous vote.

A meeting with the entire congregation of the Alabaster Church of God was held on September 30, 1990 to vote whether to borrow the \$200,000.00 mentioned above. This was passed with a majority vote.

A meeting with the men of the Alabaster Church of God was held on December 18, 1991, to decide on the amount of money to be borrowed from Juanita Wood. The loan was to cover three items: 1) payoff current Construction loan in the amount of \$150,000.00 plus interest with First National Bank of Columbiana; 2) payoff outstanding loan from the Church of God state office for \$10,000.00; 3) cover miscellaneous expenses associated with new building. The amount decided upon was \$180,000.00 with a unanimous vote.

Sincerely,

Justin S. Adams, clerk
Alabaster Church of God

BOOK 380 PAGE 259

EXHIBIT "B"

Commence at the NW corner of the NW 1/4 of the SE 1/4, Section 35, Township 20 South, Range 3 West, Alabaster, Shelby County, Alabama and run thence Southerly along the West line of said NW 1/4 of SE 1/4 and the SW 1/4 of the SE 1/4 a distance of 2,302.28 feet to a point on the centerline of Buck Creek and the point of beginning of the property being described; thence continue Southerly along said 1/4 1/4 line a distance of 334.01 feet to a point on the North margin of First Avenue; thence turn a deflection angle of 90 deg. 27 min. 00 sec. left and run Easterly along said North margin of said First Avenue a distance of 197.46 feet to a point in the centerline of Buck Creek; thence turn a deflection angle of 98 deg. 41 min. 49 sec. left and run along centerline of said creek 93.05 feet to a point; thence turn a deflection angle of 14 deg. 39 min. 15 sec. left and continue along centerline of said creek 118.75 feet to a point; thence turn a deflection angle of 16 deg. 16 min. 11 sec. left and continue along centerline of said creek 86.90 feet to a point; thence turn a deflection angle of 10 deg. 13 min. 26 sec. left and continue along centerline of said creek 102.43 feet to the point of beginning; being situated in Shelby County, Alabama.

SUBJECT TO THE FOLLOWING EXCEPTIONS AND CONDITIONS:

1. General and special taxes or assessments for 1991 and subsequent years not yet due and payable.
2. Right-of-Way granted to Shelby County by instrument recorded in Deed Book 155 page 570 in Probate Office.
3. Easements to Southern Natural Gas Co. as shown by instrument recorded in Deed Book 88 Page 165 and Deed Book 90 page 429 in Probate Office.
4. Easement to Southern Railway as shown by instrument recorded in Deed Book 51 page 389 in Probate Office.
5. Rights of riparian owners in and to the use of Buck Creek.
6. Subject to flooding of Buck Creek.

Church of God at Alabaster is one and the same as Alabaster Church of God.

SIGNED FOR IDENTIFICATION:

CHURCH OF GOD AT ALABASTER

By: H. Melvin Massey
H. Melvin Massey, Pastor

By: Steve Cherry
Steve Cherry - Trustee

By: Jimmy Freeman
Jimmy Freeman - Trustee

By: Danny Aultman
Danny Aultman - Trustee

EXHIBIT "C"



Church of God
Alabama Executive Offices

P.O. Box A, Birmingham, Alabama 35228-9989
205/424-4022

December 26, 1991

Juanita F. Woods

Sylacauga, Alabama 35150

Dear Ms. Woods:

The State Council for the Church of God in Alabama passed the following measure:

"That a loan be underwritten for the
Alabaster Church of God in the amount
of \$180,000.00."

It is understood that the loan is to be obtained from Juanita F. Woods, her successors, assigns and/or heirs. The local trustees are authorized to sign necessary papers in order to secure said loan.

Sincerely,

CHURCH OF GOD IN ALABAMA

W. P. Atkinson
State Overseer

WPA:lc

1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	17.50
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	21.50

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

91 DEC 30 PM 2:57

JUDGE OF PROBATE

BOOK 380 PAGE 261