

CAUSE NO. 141-237105-09

THE EPISCOPAL CHURCH, et al.	)	IN THE DISTRICT COURT OF
	)	
VS.	)	TARRANT COUNTY, TEXAS
	)	
FRANKLIN SALAZAR, et al. <sup>1</sup>	)	141 <sup>ST</sup> DISTRICT COURT

**LOCAL EPISCOPAL PARTIES' AND LOCAL EPISCOPAL CONGREGATIONS'**  
**SUPPLEMENTAL MOTION FOR PARTIAL SUMMARY JUDGMENT**

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 DISTRICT CLERK  
 2011 MAR 31 AM 8:35  
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<sup>1</sup> The style is being shortened at the request of the Clerk's office. It does not imply that any parties are omitted or dropped from the case.

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**LOCAL EPISCOPAL PARTIES' AND LOCAL EPISCOPAL CONGREGATIONS'**  
**SUPPLEMENTAL MOTION FOR PARTIAL SUMMARY JUDGMENT**<sup>2</sup>

TO THE HONORABLE COURT:

Pursuant to Texas Rule of Civil Procedure 166a, the Local Episcopal Parties<sup>3</sup> and the Local Episcopal Congregations<sup>4</sup> (collectively, "Local Episcopalians") file this supplemental motion for partial summary judgment to ensure enforcement of the Court's legal rulings on remaining parties, issues, and claims, and would respectfully show:

**I. INTRODUCTION**

This Motion seeks rulings that are essential to enforce this Court's holdings and prevent further irreparable harm. Defendants have already encumbered Episcopal property with an unlawful **\$3.5 million lien** and numerous mineral leases during this lawsuit, while telling the Court they are "judgment proof." Additional discovery is investigating new reports of Defendants' intentional commingling of funds and wrongful asset transfers.

On January 21st and February 8th, 2011, the Court entered Orders resolving the core legal issue of this case: only loyal Episcopalians recognized by The Episcopal Church have a right to Episcopal identity and property. This holding is absolutely, uncontroversially correct. Texas courts have already granted summary judgment against similar ex-Episcopalian factions in 2009 and 2010; the Austin Court of Appeals affirmed the first of these on March 16, 2011, in a

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<sup>2</sup> This is a motion for partial summary judgment. The Local Episcopal Parties and Local Episcopal Congregations do not, for example, move for summary judgment on their tort claims, on their claims for attorney's fees, against third party Jude Funding or other third parties, for an accounting, or as to Defendants' void transactions that involve third parties. Defendants only began producing in March 2011 documents that were requested in November 2010, and to date Defendants have produced no financial records of parish or mission accounts. Movants expressly reserve their rights and do not waive any claims, causes of action, issues, or relief not addressed herein.

<sup>3</sup> "Local Episcopal Parties" means the Rt. Rev. C. Wallis Ohl, Robert Hicks, Floyd McKneely, Shannon Shipp, David Skelton, Whit Smith, Margaret Mieuli, Anne T. Bass, Walt Cabe, the Rev. Christopher Jambor, the Rev. Frederick Barber, the Rev. David Madison, Robert M. Bass, the Rev. James Hazel, Cherie Shipp, the Rev. John Stanley, Dr. Trace Worrell, the Rt. Rev. Edwin F. Gulick, Jr., and Kathleen Wells.

<sup>4</sup> "Local Episcopal Congregations" means those parties represented by Frank Hill who filed the First Amended Original Plea in Intervention of Episcopal Congregations on November 15, 2010.

legal opinion nearly identical to this Court's ruling. (*See* Exhibit A).

But the Court's January and February Orders are not – and were not intended to be – Final Orders. As Defendants noted at the conclusion of the February 8th hearing: “I think we all agree that neither of these are final -- would be final orders. There are other issues.”<sup>5</sup> Additional relief is necessary to (1) bind all similarly-situated and aligned parties; (2) dispose of interwoven claims, issues, and parties not subject to the initial partial motions; (3) schedule the property at issue based on newly-produced documents to ensure protection during appeal; and (4) put specific injunctions and declarations in place to ensure a complete, easily enforceable Final Order that leaves no room for purported misunderstanding or further irreparable harm.

Resolving these issues before any appeal is essential. Defendants<sup>6</sup> are now urging this Court to sever the preliminary February 8, 2011 Order for appeal, before complete relief is afforded against them, and before a complete record is established. Doing so would be improper,<sup>7</sup> as well as prejudicial in light of Defendants' pattern of conduct to date, encumbering Episcopal property with multi-million dollar debt to pay attorneys while telling the Court that attempting to collect damages from them would be “wasting time.”<sup>8</sup> Resolution of this Motion is essential for complete declaratory and injunctive relief and prevention of further harm.

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<sup>5</sup> Reporter's Record, February 8, 2011 Hearing at 47:6-8.

<sup>6</sup> Throughout this Motion, “Defendants” are defined to include all parties in this case aligned with the Southern Cone parties who left The Episcopal Church, regardless of how such parties are designated in any petitions, answers, counterclaims, interventions, or other pleadings, including all parties identified as Defendants in Defendants' Motion for Partial Summary Judgment filed December 23, 2010 with this Court, including Defendant Congregations and the Defendants wrongly appearing in this case as “The Episcopal Diocese of Fort Worth” and “The Corporation of the Episcopal Diocese of Fort Worth” (hereafter Defendant Diocese and Defendant Congregation, respectively).

<sup>7</sup> *See* Local Episcopal Parties' Response to Defendants' improper Motion to Sever and Stay Remaining Proceedings, filed Tuesday, March 29, 2011. Defendants' Motion to Sever and Stay is set for hearing on March 31, 2011.

<sup>8</sup> *Id.* (“The fact of the matter is that the [damages] claims, if we lose, we are wasting time because our clients are all judgment proof. So [Plaintiffs] can get a million dollars of [damages], and who are they going to collect that from.” [sic]).

## II. PROCEDURAL HISTORY

1. On October 18, 2010, the Local Episcopal Parties filed their Motion for Partial Summary Judgment. On December 21, 2010, they filed their Amended Motion for Partial Summary Judgment.

2. The Local Episcopal Parties' Motion and Amended Motion for Partial Summary Judgment were intended to resolve the core legal issue of this case at the Diocesan level, without getting mired in the numerous parties, postures, interventions, and counter-claims. Accordingly, the Local Episcopal Parties moved on their claims against the Individual Defendants who purported to act at the Diocesan level of Church hierarchy, and against the purported Corporation and the purported Diocese controlled by the Individual Defendants, while reserving the right to move on other parties, issues, and claims once the controlling legal issue was isolated and resolved.<sup>9</sup> The Local Episcopal Parties did not move on their claims against Individual Defendant Hightower, who had not yet answered the petition against him.<sup>10</sup> The Local Episcopal Parties did not move against the intervening Defendant Congregations,<sup>11</sup> who had yet to produce documents regarding the property at issue, or on the Defendant Congregations' claims against them. Nor did the Local Episcopal Parties move on the declaratory claims asserted against them by the purported Corporation and purported Diocese controlled by the Individual Defendants.

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<sup>9</sup> "Individual Defendants" were defined in the Amended Motion for Partial Summary Judgment as Defendants/Counter-Defendants Franklin Salazar, Jo Ann Patton, Walter Virden, III, Rod Barber, Chad Bates, The Rt. Rev. Jack Leo Iker, Judy Mayo, Julia Smead, The Rev. Christopher Cantrell, The Rev. Timothy Perkins, and The Rev. Ryan Reed. The Local Episcopal Parties also moved "to any extent necessary . . . against Defendant/Third-Party Plaintiff/Counter-Defendant The Anglican Province Of The Southern Cone's 'Diocese Of Fort Worth,' which has wrongfully appeared as 'The Episcopal Diocese of Fort Worth,' and Intervenor/Third-Party Plaintiff/Defendant/Counter-Defendant The Anglican Province Of The Southern Cone's 'Corporation Of The Episcopal Diocese Of Fort Worth,' which has wrongfully appeared as 'The Corporation of the Episcopal Diocese of Fort Worth.'"

<sup>10</sup> Defendant Hightower did not answer the Individual Plaintiffs' Sixth Amended Original Petition until December 23, 2010 (*see* Defendants' Answer to Individual Plaintiffs' Sixth Amended Original Petition).

<sup>11</sup> As defined in Defendants' December 23, 2010 Motion for Partial Summary Judgment.

3. On January 21, 2011, the Court granted the Local Episcopal Parties' Amended Motion for Partial Summary Judgment, granted in part The Episcopal Church's Motion for Summary Judgment, and denied Defendants' Motion for Partial Summary Judgment. These Orders resolved the core issue of the case: the parties loyal to and recognized by The Episcopal Church, and not Defendants, have a right to local Episcopal identity and property. The impact of those rulings was clear; as Defense counsel stated on the record: "I mean, I think the order on TEC makes it clear that we lose."<sup>12</sup> But several issues remained, including: (1) scheduling the property based on Defendants' pending discovery responses, to ensure all relevant property is catalogued and protected throughout any appeal; (2) applying the Court's ruling to all Defendants, including Defendant Hightower and Defendant Congregations, to ensure all Defendants comply with the Court's holding; (3) granting relief to the Local Episcopal Congregations, who adopted the Local Episcopal Parties' motion but were not yet named in the Order;<sup>13</sup> and (4) applying the Court's legal ruling to resolve pending ancillary claims and issues.

4. In its January 21, 2011 Order, the Court ordered the Local Episcopal Parties to submit "a more detailed declaratory order within ten days of the date of this order."<sup>14</sup> On January 31, 2011, the Local Episcopal Parties filed a proposed Further Declaratory Order On the Local Episcopal Parties' Amended Motion For Partial Summary Judgment.

5. At the February 8, 2011 hearing, the Court entered an Amended Order on Summary Judgment, consolidating all of its prior rulings into one Order but postponing consideration of the Further Declaratory Order. The parties and the Court expressly confirmed

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<sup>12</sup> Reporter's Record, February 8, 2011 Hearing at 46:7-8.

<sup>13</sup> See Local Episcopal Congregations' "Notice of Adoption by Reference Pursuant to Tex. R. Civ. P. 58," filed January 7, 2011.

<sup>14</sup> January 21, 2011 Order Granting Local Episcopal Parties' Amended Motion for Partial Summary Judgment.

that these further declarations, as well as any other supplemental relief not yet granted, were not denied:

Mr. Leatherbury: As long as it's clear between the parties that anything that was not granted in this motion for summary judgment is still – you know, is without prejudice to seek further declarations and so forth at a later time, if that accomplishes the goal of getting an order in place that the Court is comfortable with, then that is – that's agreeable to us at this time. But we did ask for everything that's in the further declaratory order, and we're not giving any of it up. But if today is not the day to take all of those things up rather that's a thing for final judgment, that's fine.

Mr. Brister: That's fine with us.

The Court: Okay. Yeah. And . . . this order that Ms. Liser drafted doesn't say that all relief not granted is denied. So – okay.

Mr. Brister: I think we all agree that neither of these are final -- would be final orders. There are other issues.<sup>15</sup>

6. Defendants are now attempting to sever the preliminary February 8, 2011 Order and appeal it – before the Court is able to rule on the interwoven declarations and injunctions necessary to enforce its preliminary Order against all Defendants to protect the property at issue.<sup>16</sup> That severance is legally improper as set forth in the Local Episcopal Parties' Response to Defendants' motion to sever.<sup>17</sup>

7. This Supplemental Motion for Partial Summary Judgment seeks the additional declaratory and injunctive relief necessary for a properly severable Order and Judgment that will (1) bind all similarly-situated and aligned parties; (2) ensure the compliance of all Defendants; (3) schedule the property at issue based on newly-produced discovery; and (4) prevent any purported misunderstanding about the Court's rulings during the pendency of the appeal.

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<sup>15</sup> Reporter's Record, February 8, 2011 Hearing at 46:15-47:8.

<sup>16</sup> See Defendants' Motion to Sever and Stay Remaining Proceedings, filed February 18, 2011.

<sup>17</sup> See Local Episcopal Parties' Response to Defendants' Motion to Sever and Stay Remaining Proceedings, filed March 29, 2011.

### III. SUPPLEMENTAL GROUNDS

The Local Episcopalians incorporate as if fully set forth herein the grounds, arguments, and authorities set forth in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment<sup>18</sup> and assert the following supplemental grounds:

- On January 21, 2011 and February 8, 2011, the Court held: (1) “The Episcopal Church (the ‘Church’) is a hierarchical church as a matter of law”; (2) “in the event of a dispute among its members, a constituent part of a hierarchical church consists of those individuals remaining loyal to the hierarchical church body”; (3) “those are the individuals who remain entitled to the use and control of the church property”; (4) “all property held by or for the Diocese may be used only for the mission of the Church, subject to the Church’s Constitution and canons”; and (5) “a local faction of a hierarchical church may not avoid the local church’s obligations to the larger church by amending corporate documents,” and such changes are void as a matter of law.<sup>19</sup>
- As a matter of law, this Court, like all civil courts, must defer to, and apply as conclusive and binding for civil law purposes, The Episcopal Church’s ecclesiastical determinations that the Local Episcopal Parties and Local Episcopal Congregations are the parties loyal to and recognized by The Episcopal Church and are the ones entitled to use and control the property at issue for the mission of the Church.
- As a matter of law, this Court, like all civil courts, must defer to, and apply as conclusive and binding for civil law purposes, The Episcopal Church’s ecclesiastical determinations that Defendants are not loyal to or recognized by The Episcopal Church and are not entitled to use and control the property at issue for the mission of the Church.
- Accordingly, as a matter of law, pursuant to The Episcopal Church’s ecclesiastical determinations, the Court’s January 21 and February 8 rulings, and 100 years of law, the Local Episcopal Parties and Local Episcopal Congregations are the parties authorized to lead and act on behalf of the continuing local constituent parts of The Episcopal Church, including the Episcopal Diocese of Fort Worth (the “Diocese”), the Standing Committee of the Episcopal Diocese of Fort Worth (the “Standing Committee”); the Fund for the Endowment of the Episcopate of the Episcopal Diocese of Fort Worth (the “Endowment Fund”); the Corporation of the Episcopal Diocese of Fort Worth (the “Diocesan Corporation”), and the Diocese’s local parishes and missions. As a matter of law,

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<sup>18</sup> Filed with this Court on December 21, 2010, and joined by the Local Episcopal Congregations in their Congregations’ “Notice of Adoption by Reference Pursuant to Tex. R. Civ. P. 58,” filed January 7, 2011.

<sup>19</sup> January 21, 2011 Order on Summary Judgment and February 8, 2011 Amended Order on Summary Judgment.

Defendants have no right, standing, or capacity to act on behalf of any of these entities.

- As a matter of law, pursuant to The Episcopal Church's ecclesiastical determinations, the Court's January 21 and February 8 rulings, and 100 years of law, the Local Episcopal Parties and Local Episcopal Congregations are the parties who remain entitled to the use and control of church property within the Episcopal Diocese or its constituent entities, and, as a matter of law, Defendants have no right to control, transfer, encumber, alienate, divert, or otherwise use this property.
- All Defendants from the diocesan level to the congregational level of their church hierarchy are similarly situated and aligned as parties that are not recognized by or loyal to The Episcopal Church and not entitled to any property at issue. All relief granted by the Court in its January 21 and February 8 Orders or as a result of this motion applies with equal force to all Defendants, including to the Defendant Congregations.
- In addition, all Defendants similarly have no right to use and control The Episcopal Church's and the Diocesan Corporation's and the Diocese's real, personal, and intellectual property under the alternative neutral principles approach used by some other states.
- Judgment should be entered as a matter of law in favor of the Local Episcopal Parties and against the Defendant Corporation and the Defendant Diocese on all claims brought by the Defendant Corporation and the Defendant Diocese against the Local Episcopal Parties in their First Amended Third-Party Petition of Intervener the Corporation of the Episcopal Diocese of Fort Worth and First Amended Third-Party Petition of Defendant The Episcopal Diocese of Fort Worth, both filed December 23, 2010.
- Judgment should be entered as a matter of law in favor of the Local Episcopal Parties and against the Defendant Congregations on all the claims brought by the Defendant Congregations against the Local Episcopal Parties in their First Amended Original Plea in Intervention, filed November 12, 2010, and in their Interveners' Original Counterclaim, filed September 16, 2010.
- Judgment should be entered as a matter of law in favor of the Local Episcopal Parties and the Local Episcopal Congregations and against the Defendant Congregations on the declaratory and injunctive claims against the Defendant Congregations that are the subject of this motion.
- Judgment should be entered as a matter of law in favor of the Local Episcopal Parties and the Local Episcopal Congregations and against the Rev. Thomas Hightower on the declarations and injunctive claims against the Rev. Thomas Hightower that are the subject of this motion.



- The Court has determined on the merits in the course of litigation, in deference to the ecclesiastical determinations of The Episcopal Church and applying those ecclesiastical determinations as conclusive and binding for civil law purposes, that the Local Episcopal Parties, and not Defendants, are the representatives of the Diocese and Diocesan Corporation. The Local Episcopal Parties, and not Defendants, can authorize counsel, including Kathleen Wells, Jon Nelson, and Vinson & Elkins LLP to represent the Diocese and Diocesan Corporation and to prosecute or defend claims in this matter on the Diocese's and Diocesan Corporation's behalf and in the name of the Diocese and the Diocesan Corporation.
- This Court has inherent authority to issue injunctive relief requested in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion and as necessary or proper to enforce its declaratory judgments under Texas Civil Practice and Remedies Code Section 37. Defendants' acts in this case also justify permanent injunctive relief under the four-factor common-law test. The Court has already declared Defendants' use and control of Episcopal property wrongful as a matter of law and has ordered certain permanent injunctive relief. Harm has already occurred, and further harm is imminent, irreparable, and not subject to adequate remedy at law because Defendants have already encumbered Church property with a multi-million dollar lien and leases; admit they are "judgment proof" and cannot pay damages; continue to stop loyal Episcopalians from using their own churches and funds for over two years; hold themselves out as local Episcopal institutions while spreading a message not endorsed by The Episcopal Church and loyal Episcopalians; and are drawing down Episcopal funds for ex-Episcopalians' salaries and expenses. The requested injunctive relief is appropriate as a matter of law.

#### **IV. STATEMENT OF INCORPORATION AND EVIDENCE**

For economy and clarity, the Local Episcopalians incorporate herein the grounds, arguments, authorities, and evidence of their Amended Motion for Partial Summary Judgment, their Response to Defendants' Motion for Partial Summary Judgment, and their Reply in support of their Amended Motion for Partial Summary Judgment, and provide supplemental materials herein as needed. Specifically, this motion incorporates, as if fully set forth herein, the grounds, facts, arguments, and authorities set forth in (1) Plaintiff The Episcopal Church's Motion for Summary Judgment and Brief in Support of Motion, filed October 18, 2010; (2) Local Episcopal Parties Amended Motion for Partial Summary Judgment, filed December 21, 2010; (3) The Episcopal Church's Response to Defendants' Motion for Partial Summary Judgment, filed

January 7, 2011; (4) Local Episcopal Parties' Response to Defendants' Motion for Partial Summary Judgment, filed January 7, 2011; (5) The Episcopal Church's Reply in Support of its Motion for Summary Judgment, filed January 11, 2011; and (6) Local Episcopal Parties' Reply in Support of their Amended Motion for Partial Summary Judgment, filed January 11, 2011.

This motion also incorporates, as if fully set forth herein, the evidence filed in support of the aforementioned motions and briefing and in support of this motion, consisting of: (1) Appendix to All Episcopal Parties' Motions for Summary Judgment and Partial Summary Judgment, filed jointly by The Episcopal Church and the Local Episcopal Parties on October 18, 2010, containing Appendix pages A1-1264; (2) Plaintiff The Episcopal Church's Supplemental Evidence in Support of Its Motion for Summary Judgment, filed October 22, 2010 and adopted and incorporated by the Local Episcopal Parties on October 28, 2010, containing Appendix pages A1265-69; (3) Second Supplemental Evidence in Support of All Episcopal Parties' Motions for Summary Judgment and Partial Summary Judgment, filed December 21, 2010, containing Appendix pages A1270-1284; (4) Supplemental Evidence in Support of All Episcopal Parties' Responses to Defendants' Motion for Partial Summary, filed January 7, 2011, containing Appendix pages A1285-1377; and (5) Supplemental Appendix in Support of Local Episcopal Parties' and Local Episcopal Congregations' Supplemental Motion for Partial Summary Judgment, filed with this motion and containing Appendix pages A1378-2329; all as listed below. A table listing this evidence is attached as Exhibit B and incorporated herein. Citations to this evidence herein will follow the format A[start page]-[end page] (Ex. [letter]-[tab], [description]).

## **V. ARGUMENTS AND AUTHORITIES**

Under 100 years of law and the Court's rulings to date, the following further relief is merited:

### **A. Scheduling of Property**

The Court correctly ruled that parties not recognized by or loyal to a hierarchical church have no right to use or encumber church property. Defendants took the records of the Episcopal Diocese of Fort Worth (the “Diocese”) and its Corporation of the Episcopal Diocese of Fort Worth (the “Diocesan Corporation”) and, for two years, have wrongly denied Episcopal Parties access to and use of their own Episcopal property. Only on March 8, 2011 did Defendants begin producing documents requested as early as November 9, 2010.<sup>20</sup> Now, the Local Episcopalians receive new reports of misused funds and multi-million dollar encumbrances by Defendants.<sup>21</sup>

Accordingly, the Local Episcopalians here request additional declarations and injunctions to schedule the known property at issue and to further ensure that Defendants have no purported misunderstandings about the meaning of the Court’s prior Orders. These requests are set forth in the Request for Relief below.<sup>22</sup>

### **B. Summary Judgment Against Defendant Hightower**

At the time of filing the prior motions for summary judgments, Defendant Hightower had not yet answered the petition against him. Defendant Hightower is an individual Defendant similarly situated to the Individual Defendants wrongly claiming to represent the Episcopal Diocese, as he is aligned with Defendants and not loyal to or recognized by The Episcopal Church. Now that he has answered the claims against him,<sup>23</sup> the Court should grant the Local Episcopal Parties’ Amended Motion for Partial Summary Judgment against him for all the reasons set forth against his fellow Defendants therein, which arguments are incorporated herein

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<sup>20</sup> A1437.2 (Ex. AA, Young Aff. at ¶ 13); A2279-83 (Ex. AA-12, Plaintiff the Rt. Rev. Ohl’s First Request for Production of Documents).

<sup>21</sup> *See, e.g.*, A1438-54 (Ex. AA-1, Jude Funding Deed of Trust).

<sup>22</sup> Defendants have not produced any financial records of parish and mission accounts, and the Local Episcopal Parties have filed a motion to compel and are conferring about this motion with Defendants.

<sup>23</sup> *See* Defendants’ Answer to Individual Plaintiffs’ Sixth Amended Original Petition, filed December 23, 2010.

by reference. And the relief granted by this Court against Defendants should apply to Defendant Hightower as well.

**C. Summary Judgment on Behalf of Local Episcopal Congregations Against the Individual Defendants, the Defendant Corporation, and the Defendant Diocese**

The Local Episcopal Congregations joined in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment,<sup>24</sup> and the relief granted to The Episcopal Church and the Local Episcopal Parties in the January 21 and February 8, 2011 Orders and herein should be granted to the Local Episcopal Congregations on their claims against the Individual Defendants, the Defendant Corporation, and Defendant Diocese as well. It is indisputable that the Local Episcopal Congregations – and not Defendant Congregations – are the parties recognized by and loyal to The Episcopal Church and entitled to relief in this matter, for all the reasons set forth in the Amended Motion for Partial Summary Judgment and herein.

**D. Summary Judgment in Favor of Local Episcopal Parties and Local Episcopal Congregations and Against Defendant Congregations**

This Court's rulings have also resolved declaratory and injunctive claims brought by the Local Episcopal Parties and Local Episcopal Congregations against Defendant Congregations, as well as the declaratory and injunctive claims brought by Defendant Congregations against the Local Episcopal Parties. It is undisputed that Defendant Congregations are purported entities not loyal to, and not recognized by, The Episcopal Church, but they are claiming to control the continuing missions and parishes ("congregations") in the Diocese and are wrongfully using those historic entities' real, personal, and intellectual property for a new South American church and not for the mission of The Episcopal Church.

As a matter of law, congregations are constituent parts of the hierarchical Episcopal

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<sup>24</sup> See Local Episcopal Congregations' Notice of Adoption by Reference Pursuant to Tex. R. Civ. P. 58, filed January 7, 2011.

Church. *See* Local Episcopal Parties' Amended Motion for Partial Summary Judgment at Sections VI.A and VII, incorporated as if fully set forth herein. As Defendant Iker averred in a prior litigation:

[E]ach parish consists of members of The Episcopal Church confirmed in or transferred to that parish . . . . Under the Constitution of the Diocese and under Canon law, no person may be a member of a parish who is not a member of The Episcopal Church.<sup>25</sup>

And Defendant Iker's Canon (or assistant), Reverend Canon Billie Boyd, averred:

[E]ach Parish within The Episcopal Diocese of Fort Worth has acknowledged that they are governed by and recognize the authority of the General Convention and the Constitution and Canons of The Episcopal Church in the United States of America.<sup>26</sup>

In 1982, at the Primary Convention of the Episcopal Diocese of Fort Worth, the Parishes and Missions within the Diocese unanimously approved the following resolution pledging full subscription and accession to the General Church's Constitution and Canons:

WHEREAS, the Primary Convention of the Diocese of Fort Worth, meeting at All Saints Episcopal Day School, in Fort Worth, Tarrant County, Texas, on Saturday, 13 November 1982, pursuant to approval of the 67th General Convention of The Episcopal Church, does hereby fully subscribe to and accede to the Constitution and Canons of The Episcopal Church, and

IN SO DOING, we unanimously hereunto set our hand this 13th day of November in the year of our lord, One Thousand Nine Hundred Eighty-Two; and the Secretary of Convention is hereby instructed to promptly inform the Secretary of General Convention by copy of this Resolution with all signatures, in accordance with Canon 1.9(4) of General Convention; and with copies of the Constitution and Canons of the Diocese of Fort Worth adopted this day.<sup>27</sup>

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<sup>25</sup> A1012-13 (Ex. G-2, Iker Aff. at 1-2).

<sup>26</sup> A1036-37 (Ex. G-3, Boyd Aff. at 1-2).

<sup>27</sup> A518-25 (Ex. D-19, Proceedings of the Primary Convention of the Episcopal Diocese of Fort Worth (1982) at pp. 25-32).

Diocesan Canon 22 requires every new parish under its auspices to “promise to abide by and conform to the Constitution and Canons of the General Convention and of the Diocese of Fort Worth.” Similarly, Diocesan Canon 21 requires every new mission to make a similar declaration to “promise conformity to its doctrines, discipline, liturgy, rites, and usages.”<sup>28</sup> Diocesan Canon 25 (now Canon 30) provides: “The dedicated and consecrated Churches and Chapels of the several Parishes and Missions of the Diocese may be opened only for the services, rites and ceremonies, or other purposes, either authorized or approved by this Church, and for no other use.”<sup>29</sup> Episcopal Church Canon 1.7.4 states: “All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or Congregation is located.”<sup>30</sup> As one of dozens of courts put it: “The Protestant Episcopal Church in the United States of America is a hierarchically structured organization which by virtue of its constitution and canons exercises **pervasive control over its constituent parishes and missions.**”<sup>31</sup>

Under 100 years of law and this Court’s Orders, because congregations are a constituent part of The Episcopal Church, and because Defendant Congregations are a breakaway faction not loyal to or recognized by The Episcopal Church, they have no legal right, standing, or capacity to claim to represent the continuing historic congregations of the Church, nor do they have any right to those entities’ real, personal, or intellectual property. Summary judgment is proper in favor of the Local Episcopal Parties on all of Defendant Congregations’ claims. And all summary judgment relief granted against Defendants in the Court’s January 21 and February 8

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<sup>28</sup> A539 (Ex. D-21, Diocesan Canon 21-22).

<sup>29</sup> A539.1 (Ex. D-21, Diocesan Canon 25).

<sup>30</sup> A660 (Ex. D-36, Church Canon I.7.4).

<sup>31</sup> *Protestant Episcopal Church in the Diocese of N.J. v. Graves*, 417 A.2d 19, 24 (N.J. 1980) (emphasis added).

Orders and herein should apply to Defendant Congregations and their agents as well.

Such relief is also proper under the alternative “neutral principles” approach used in some other states. This analysis is set forth in detail in the Local Episcopal Parties’ Amended Motion for Partial Summary Judgment at pp. 43-50 and in their Response to Defendants’ Motion for Partial Summary Judgment, incorporated herein. This analysis looks at four factors for an indication that local church property is held for the benefit of the mother church: (1) national church rules, (2) local church rules, (3) property deeds, and (4) relevant state statutes.<sup>32</sup> No one factor is necessary – for instance, courts find for the mother church based on a statement in the larger church’s rules confirming the arrangement that local property is held for the larger church.<sup>33</sup>

As shown in the incorporated briefing referenced above, *all four* factors are met here, including an express provision added to The Episcopal Church’s canons in 1979 in direct response to, and compliance with, the U.S. Supreme Court’s urging in *Jones v. Wolf*. That Dennis Canon states: “All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or Congregation is located.”<sup>34</sup> Local Diocesan language similarly requires, for example, that “Churches and Chapels of the several Parishes and Missions of the Diocese may be opened only for the services, rites and ceremonies, or other purposes, either authorized or approved by this Church, and for no other use,”<sup>35</sup> and the relevant Articles of Incorporation require that all church property “be administered in accordance with the Constitution and Canons

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<sup>32</sup> *Jones v. Wolf*, 443 U.S. 595, 600 (1979).

<sup>33</sup> *Id.* at 600-01 (citing *Carnes v. Smith*, 222 S.E.2d 322 (Ga. 1976)); *see also* Local Episcopal Parties’ Amended Motion for Partial Summary Judgment at pp.45-47.

<sup>34</sup> A660 (Ex. D-36, Church Canon I.7.4).

<sup>35</sup> A539.1 (Ex. D-21, Diocesan Canon 25).

of the Episcopal Diocese of Fort Worth and the Episcopal Church.”<sup>36</sup> In addition, numerous deeds for local church property are attached in the supplemental appendix filed herewith. While these deeds are merely confirmatory, as the overriding trust canon and beneficial language in local and national church documents controls, it is worth noting that the local deeds fall generally into three categories: (1) those that expressly deed local property in trust for the use and benefit of the national church or to officers of the national church in their official capacities;<sup>37</sup> (2) those that deed local property to the Episcopal Diocese of Fort Worth or one of its congregations (or to their officers in their official capacities),<sup>38</sup> in which case the ecclesiastical identity determination of which party *is* the Episcopal Diocese, its congregation, or its officers controls (*Jones v. Wolf, Milivojevich*);<sup>39</sup> and (3) those that deed the local property to the Corporation of the Episcopal Diocese,<sup>40</sup> in which case (i) the ecclesiastical identity and disciplining of corporate officers bound by religious law controls (*Jones*), (ii) the ecclesiastical determination of diocesan officers that automatically populate the corporate board controls (*Milivojevich*), and (iii) the church’s right to stop breakaway dissidents from trying to escape their obligations by amending local documents controls (*Greanias*).<sup>41</sup> In all cases, the outcome is once again the same: summary

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<sup>36</sup> A36 (Ex. B-1, April 4, 2009 Amended & Restated Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth).

<sup>37</sup> A1542-1735 and A2135-2143 (Exs. AA-6 and AA-7).

<sup>38</sup> A1736-1906 and A2144-2148 (Exs. AA-6 and AA-7).

<sup>39</sup> *Jones*, 443 U.S. at 609 (identity of church “named in the deeds must be determined according to terms of the [hierarchical Presbyterian Church’s] Book of Church Order, which sets out the laws and regulations of churches affiliated with the PCUS. Such a determination, however, would appear to require a civil court to pass on questions of religious doctrine, and to usurp the function of the commission appointed by the Presbytery, which already has determined that petitioners represent the ‘true congregation’ of the Vineville church”). *Serbian E. Orthodox Diocese for U.S. of Am. & Canada v. Milivojevich*, 426 U.S. 696, 717 (1976) (“Nor is there any dispute that questions of church discipline and the composition of the church hierarchy are at the core of ecclesiastical concern.”).

<sup>40</sup> A1907-2134 and A2149-2196 (Exs. AA-6 and AA-7).

<sup>41</sup> *Milivojevich*, 426 U.S. at 709 and *Greanias v. Isaiah*, No. 01-04-00786-CV, 2006 WL 1550009, at \*9 (Tex. App.—Houston [1st Dist.] June 8, 2006, no pet.), respectively.



judgment is proper for the Local Episcopal Parties and the Local Episcopal Congregations on declaratory and injunctive claims against Defendant Congregations and on all of the Defendant Congregations' claims against the Local Episcopal Parties.

**E. Summary Judgment in Favor of Local Episcopal Parties and Local Episcopal Congregations and Against Purported Defendant Diocese and Defendant Corporation**

This Court's rulings have also resolved the declaratory and injunctive claims brought by the Local Episcopal Congregations against Defendant Diocese and Defendant Corporation, as well as the declaratory and injunctive claims brought by Defendant Diocese and Defendant Corporation against the Local Episcopal Parties. Defendant Diocese and Defendant Corporation are led and controlled by ex-Episcopalian parties who severed ties with The Episcopal Church but wrongly claim to represent the "Episcopal Diocese of Fort Worth" and the "Corporation of the Episcopal Diocese of Fort Worth." Now that the Court has re-affirmed as a matter of law that the Episcopal Diocese of Fort Worth is a constituent part of The Episcopal Church – and that constituent parts of the Church are composed of the parties loyal to and recognized by The Episcopal Church – it is indisputable, as a matter of law, that Defendants have no standing<sup>42</sup> or capacity<sup>43</sup> to bring claims or defenses on behalf of the Episcopal Diocese of Fort Worth.

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<sup>42</sup> See, e.g., *Gleason v. Taub*, 180 S.W.3d 711, 713 (Tex. App.—Fort Worth 2005, pet. denied) (“Without a breach of a legal right belonging to a plaintiff, that plaintiff has no standing to litigate.”) (citing *Brunson v. Woolsey*, 63 S.W.3d 583, 587 (Tex. App.—Fort Worth 2001, no pet.); *Swain v. Wiley College*, 74 S.W.3d 143, 148-50 (Tex. App.—Texarkana 2002, no pet.) (holding that college president did not have standing to complain regarding violation of bylaws respecting meeting of board of trustees because he was neither a member of the nonprofit corporation nor a voting member of its board of trustees); *Okland v. Travelocity.com, Inc.*, No. 2-08-260-CV, 2009 WL 1740076, at \*4 (Tex. App.—Fort Worth 2009, pet. denied) (citing *Swank v. Cunningham*, 258 S.W.3d 647, 661 (Tex. App.—Eastland 2008, pet. denied) (stating that a cause of action against one who has injured a corporation belongs to the corporation)); *Mossler v. Nouri*, No. 03-08-00476-CV, 2010 WL 2133940, at \*3 (Tex. App.—Austin 2010, pet. denied) (“[I]t is the corporation that holds its assets, including any causes of action.”) (citing *White v. Independence Bank, N.A.*, 794 S.W.2d 895, 897 (Tex. App.—Houston [1st Dist.] 1990, writ denied).

<sup>43</sup> “[A] party has capacity when it has the legal authority to act.” *Nootsie, Ltd. v. Williamson County Appraisal Dist.*, 925 S.W.2d 659, 661 (Tex. 1996); see also *Austin Nursing Ctr., Inc. v. Lovato*, 171 S.W.3d 845, 849 (“Capacity has been defined as a party’s personal right to come into court, and should not be confused with the question of whether a party has an enforceable right or interest.”) (quoting 6A Wright, Miller, & Kane, FEDERAL PRACTICE AND PROCEDURE § 1559, p. 441 (2d ed. 1990)).

It is also indisputable, as a matter of law, that the Corporation of the Episcopal Diocese of Fort Worth is a constituent part of the Episcopal Diocese and of The Episcopal Church created expressly to carry out the mission of the Church; that its leadership and control are determined by the Diocese and constrained and disciplined by Church law; and that the selection and discipline of the corporate leadership is measured by adherence to Church law and is an ecclesiastical issue subject exclusively to the Church's determination.<sup>44</sup> As shown in detail in the Local Episcopal Parties' Response to Defendants' Motion for Partial Summary Judgment at pp. 27-33, which is incorporated herein, the United States Supreme Court, the Houston Court of Appeals, and courts around the nation consistently find accordingly. And this Court has already ruled, consistent with all of those courts, that Defendants' attempt to avoid the local church's obligations to the larger church by amending corporate documents is void and without effect.

Thus, under 100 years of law and the Court's Orders, summary judgment in favor of the Local Episcopal Parties on the claims brought against them by Defendant Diocese and Defendant Corporation is proper for lack of standing and capacity, as those Defendants do not represent, and have no legal basis to bring suit on behalf of, the Episcopal Diocese of Fort Worth or the Corporation of the Episcopal Diocese of Fort Worth. All of Defendant Diocese's and Defendant Corporation's claims also fail on the merits, because they are all based on the false and now rejected premise that they are entitled to the identity and to the real, personal, and intellectual property of the Diocese and Diocesan Corporation; summary judgment is proper against them on this basis as well.

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<sup>44</sup> See Local Episcopal Parties' Response to Defendants' Motion for Partial Summary Judgment at pp. 27-33 for detailed proof, including the fact that the corporation is automatically led by the Diocesan Bishop under his sworn oath of conformity to the Church, and Diocesan Art. 13, which states the property "shall be held *subject to control of the Church* in the Episcopal Diocese of Fort Worth acting by and through a corporation known as 'Corporation of the Episcopal Diocese of Fort Worth.'"A534 (Ex. D-21, Diocesan Art. 13 (emphasis added)).

Accordingly, the Court should enter summary judgment denying the declaratory and injunctive claims brought by Defendant Diocese and Defendant Corporation against the Local Episcopal Parties, and granting summary judgment on the Local Episcopal Congregations' claims against Defendant Diocese and Defendant Congregations.

**F. Declaration on Right to Bring Claims for Episcopal Diocese and Corporation**

In addition, the Court should declare under Section 37.001, *et seq.*, of the Texas Civil Practice and Remedies Code that the Local Episcopal Parties, and not any Defendants, are the parties with the legal right, standing, and capacity to bring claims and assert defenses on behalf of and in the name of the Episcopal Diocese and Diocesan Corporation, and that the Local Episcopal Parties may authorize counsel to represent those entities. On June 25, 2010, the Fort Worth Court of Appeals held that there “is a single Fort Worth Diocese and Corporation, which both a majority and a minority faction claim to control.”<sup>45</sup> The Court noted: “The trial court did not determine on the merits which Bishop and which Trustees are the authorized persons within the Corporation and the Fort Worth Diocese, nor do we. The question of ‘identity’ remains to be determined in the course of the litigation.”<sup>46</sup> The Court of Appeals held:

Because a corporation cannot sue itself, the trier of fact will be unnecessarily confused by presentations from two opposing factions who claim to be the Corporation and the Fort Worth Diocese . . . including the appearance that the issue is already resolved in favor of one party before the questions of identity and title to the property held by the Corporation and the Fort Worth Diocese are determined in the course of the litigation.<sup>47</sup>

Now, consistent with the Court of Appeals' opinion, this Court has answered the core ‘identity’ and property questions as a matter of law “in the course of the litigation,” and

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<sup>45</sup> *In re Salazar*, 315 S.W.3d 279, 285 (Tex. App.—Fort Worth 2010, orig. proceeding).

<sup>46</sup> *Id.*

<sup>47</sup> *Id.* at 287 (emphasis added).

“determine[d] on the merits which Bishop and which Trustees are the authorized persons within the Corporation and the Fort Worth Diocese” (with proper deference to the ecclesiastical determinations of The Episcopal Church, applying those determinations as conclusive and binding for civil law purposes). As a result, there is no longer any risk of confusion to the trier of fact, because now, as a matter of law, there is only one faction (the Local Episcopal Parties) with the legal right to act on behalf of the Diocese and Diocesan Corporation. The Local Episcopal Parties should now be allowed to protect the rights and interests of their Diocese and Diocesan Corporation by authorizing Plaintiffs’ counsel to act in the name of the Diocese and Diocesan Corporation accordingly.

**G. Further Declarations**

The Local Episcopalians urge the Court to issue the further declarations set forth in the Request for Relief. Each of these declarations is supported as a matter of law and follows from the Court’s existing rulings. Each of these declarations is essential to granting the Local Episcopalians the relief to which they are entitled and to ensure a specific and enforceable, ultimate judgment. These declarations also put Defendants on the highest notice: the Court and parties are watching, and they expect Defendants to honor the Court’s rulings and their clear meaning.

As shown in the Procedural History *supra*, many of these requests are already pending before the Court, awaiting a ruling, and in light of Defendants’ continued bad acts – encumbering and squandering property that is not theirs and may not be recovered – these declarations are more essential than ever.

**H. Further Injunctive Relief**

The Local Episcopalians also urge the Court to issue the further injunctive relief set forth in the Request for Relief. Each of these injunctions is supported as a matter of law and follows

from the Court's existing rulings. Each is essential to prevent additional irreparable harm.

The Court has inherent authority to issue injunctive relief that is necessary or proper to enforce its Declaratory Judgments. "The uniform declaratory judgments act authorizes a party to obtain supplemental ancillary injunctive relief, including a permanent injunction, to enforce a declaratory judgment."<sup>48</sup> By statute, this relief may be granted "whenever necessary or proper."<sup>49</sup> During the pendency of this lawsuit, Defendants have already attempted to saddle Episcopal property at issue with **multi-million dollar debt** and granted mineral leases to third parties on Episcopal property, and paid ex-Episcopalians who intentionally broke their vows with Episcopal funds.<sup>50</sup> For over two years Defendants have **locked loyal Episcopalians out of their own churches** and children's camp, forcing them into temporary makeshift spaces. Every day that passes, Defendants are drawing down funds and using operating expenses from accounts that do not belong to them.<sup>51</sup> **They have done all this in the face of 100 years of law against them, two Texas summary judgments against fellow ex-Episcopalian factions, and their own prior sworn testimony against another ex-Episcopalian faction.**<sup>52</sup> Based on Defendants' demonstrated conduct, further injunctive relief is necessary, proper, and crucial to enforce the Court's declaratory relief. Courts routinely grant similar injunctive relief in church property

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<sup>48</sup> *Howell v. Tex. Workers' Comp. Comm'n*, 143 S.W.3d 416, 433 (Tex. App.—Austin 2004, pet. denied).

<sup>49</sup> TEX. CIV. PRAC. & REM. CODE § 37.011 ("Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper.").

<sup>50</sup> See A1438-54 (Ex. AA-1, Jude Funding Deed of Trust); A1455-65 (Ex. AA-2, St. Barnabas Deed of Trust); A1466-1501 (Ex. AA-3, St. Alban's Deeds of Trust); A1502-41 (Exs. AA-4 and AA-5, Mineral Leases).

<sup>51</sup> See A1378-88 (Ex. P, Mar. 21, 2011 Ohl Aff.); A1391-94 (Ex. Q, Marks Aff.); A1395-98 (Ex. R, Shockley Aff.); A1399-1402 (Ex. S, Anderson Aff.); A1403-06 (Ex. T, McClendon Aff.); A1407-12 (Ex. U, Schattman Aff.); A1415-19 (Ex. V, Moore Aff.); A1420-23 (Ex. W, Skelton Aff.); A1424-27 (Ex. X, Hood Aff.); A1428-31 (Ex. Y, Coleman Aff.); A1432-35 (Ex. Z, Johnson Aff.); A2285-87 (Ex. BB, Meeks Aff.).

<sup>52</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment at VII.D and A982-1001 (Ex. G-1, Second Amended Original Petition in *Corp. of the Episcopal Diocese of Fort Worth v. McCauley*); A1012-16 (Ex. G-2, Iker Aff.); A1002-33 (Ex. G-2, Motion for Summary Judgment, including Iker Aff.); A1036-37 (Ex. G-3, Boyd Aff. at 1-2); A1039 (Ex. G-3, Hough Aff.); A978 (Ex. G, Nelson Aff.); A1047-73 (Ex. G-5, Iker Amicus Brief).

cases like this one.<sup>53</sup> At the same time, Defendants’ Counsel has stated in their own materials that Defendants do not face any irreparable harm in this matter: “the ministry and mission of the ACNA [the breakaway faction’s new organization] and [Defendants’ wrongly named] Episcopal Diocese of Fort Worth will continue to grow and flourish, with or without the property now in dispute.”<sup>54</sup>

Defendants’ bad acts also meet the common-law four-factor test for a permanent injunction (separate and apart from statutory relief ancillary to declaratory orders), to whatever extent that showing is relevant and necessary: “(1) the existence of a *wrongful act*; (2) the existence of *imminent harm*; (3) the existence of *irreparable injury*; and (4) the *absence of an adequate remedy at law*.”<sup>55</sup> A court exercising its equitable jurisdiction to decide a request for injunctive relief should also “balance competing equities.”<sup>56</sup> Granting a permanent injunction as part of a motion for summary judgment is appropriate when there are no genuine issues of

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<sup>53</sup> See, e.g., *Green v. Westgate Apostolic Church*, 808 S.W.2d 547, 548 (Tex. App.—Austin 1991, writ denied) (affirming trial court’s judgment enjoining former reverend and his followers from using church premises or funds and from interfering with church services or business meetings); *Church of God in Christ v. Cawthon*, 507 F.2d 599, 601 (5th Cir. 1975) (affirming decision of district court enjoining defendants from “interfering with the local church, its present pastor and officers and their use of the church property for services, and from purporting to act on behalf of the local church, . . . from holding meetings in the church property, from disposing of church property, and from attempting to exercise possessory control over the church premises”); *Browning v. Burton*, 273 S.W.2d 131, 133, 136 (Tex. Civ. App.—Austin 1954, writ ref’d n.r.e.) (affirming permanent injunction, granted after summary judgment, restraining defendants from interfering with plaintiffs’ possession, use, and ownership of church properties and requiring defendants to deliver all such properties to plaintiffs); *Diocese of Nw. Tex. v. Masterson*, No. A-07-0237-C, Modified Final Summary Judgment (51st Dist. Ct., Tom Green County, Tex. Dec. 16, 2009) (granting summary judgment and ordering defendants to “relinquish control of all real and personal property of the Episcopal Church of the Good Shepherd . . . and deliver said property to the Vestry of the Episcopal Church of the Good Shepherd”) *aff’d*, --- S.W.3d ---, 2011 WL 1005382 (Tex. App.—Austin, March 16, 2011, no pet. h.) (No. 03-10-00015-CV); *St. Francis on the Hill Church v. The Episcopal Church*, Cause No. 2008-4075, Final Summary Judgment (210th Dist. Ct., El Paso County, Tex. Dec. 17, 2010) (granting summary judgment and ordering plaintiff to “relinquish control of all real and personal property of St. Francis on the Hill Episcopal Church and deliver said property to the Vestry/Bishop’s Committee of St. Francis on the Hill Episcopal Church or the appropriate Diocesan agency”).

<sup>54</sup> See A2284 (Ex. AA, Tab 13, Report from Meeting of ANCA Chancellors, Mar. 17-19, 2011).

<sup>55</sup> *Frey v. DeCordova Bend Estates Owners Ass’n*, 632 S.W.2d 877, 881 (Tex. App.—Fort Worth 1982), *aff’d*, 647 S.W.2d 246 (Tex.1983) (citing Urquhart, *The Most Extraordinary Remedy: The Injunction*, 45 TEX. B. J. 358 (1982)) (emphasis in original).

<sup>56</sup> *In re Gamble*, 71 S.W.3d 313, 317 (Tex. 2002).

material fact.<sup>57</sup> An irreparable injury is an injury for which the injured party cannot be adequately compensated in damages, or one for which the damages cannot be measured by any certain pecuniary standard.<sup>58</sup> A party has no adequate remedy at law when damages are incapable of calculation or if the party to be enjoined is incapable of responding in damages.<sup>59</sup>

All four factors are met here. The Court has already declared Defendants' actions wrongful. They have no right to hold themselves out as leaders of Episcopal entities and no right to local church property or funds.<sup>60</sup> And the harm is irreparable, without adequate remedy at law. Here, Defendants have caused massive economic injury – squandering church assets over more than two years – while telling this Court: **“The fact of the matter is that the [damages] claims, if we lose, we are wasting time because our clients are all judgment proof. So they can get a million dollars of [damages], and who are they going to collect that from.”** [sic].<sup>61</sup> Much of the damage is incapable of calculation or redress: The Episcopal Church has spent over one hundred and fifty years defining its identity in this region, and now, contrary to law, a breakaway faction is holding itself out as an Episcopal Diocese while espousing views that are directly contrary to the beliefs of The Episcopal Church and its local, loyal Episcopalians.<sup>62</sup>

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<sup>57</sup> See, e.g., *Jim Rutherford Invs., Inc. v. Terramar Beach Cmty. Ass'n*, 25 S.W.3d 845, 848-49 (Tex. App.—Houston [14th Dist.] 2000, pet. denied) (affirming trial court's judgment permanently enjoining defendant); *Priest v. Tex. Animal Health Comm'n*, 780 S.W.2d 874, 875-76 (Tex. App.—Dallas 1989, no writ) (upholding, in part, a “permanent injunction entered by summary judgment”).

<sup>58</sup> *Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2002).

<sup>59</sup> *Montfort v. Trek Res., Inc.*, 198 S.W.3d 344, 353 (Tex. App.—Eastland 2006, no pet.); *Recon Exploration, Inc. v. Hodges*, 798 S.W.2d 848, 851 (Tex. App.—Dallas 1990, no writ); *Surko Enterprises, Inc. v. Borg-Warner Accept. Corp.*, 782 S.W.2d 223, 225 (Tex. App.—Houston 1989 [1st Dist.], no writ); *Bank of Sw. v. Harlingen Nat'l Bank*, 662 S.W.2d 113, 116 (Tex. App.—Corpus Christi 1983, no writ).

<sup>60</sup> See Amended Order on Summary Judgment, signed February 8, 2011.

<sup>61</sup> Reporter's Record, 2-8-11 Hearing at 13:3-7 (emphasis added).

<sup>62</sup> See A1378-88 (Ex. P, Mar. 21, 2011 Ohl Aff.); A1391-94 (Ex. Q, Marks Aff.); A1395-98 (Ex. R, Shockley Aff.); A1399-1402 (Ex. S, Anderson Aff.); A1403-06 (Ex. T, McClendon Aff.); A1407-12 (Ex. U, Schattman Aff.); A1415-19 (Ex. V, Moore Aff.); A1420-23 (Ex. W, Skelton Aff.); A1424-27 (Ex. X, Hood Aff.); A1428-31 (Ex. Y, Coleman Aff.); A1432-35 (Ex. Z, Johnson Aff.); A2285-87 (Ex. BB, Meeks Aff.); A2304-25 (Ex. G., Wells Aff. and Exhibits); A2326-29 (Ex. GG, Normand Aff.).

Defendants have prevented loyal Episcopalians from worshipping in their own historic churches for over two years, and denied them access to their own parochial records, vestments, faire linen, chalices and sacramental objects, causing irreparable harm to the community and to the Church and the Diocese's ability to minister and attract new congregants.<sup>63</sup> None of these injuries can be calculated or redressed by damages.

A court should also consider the balance of equities, and here, that balance tips overwhelmingly toward the law-abiding loyal Episcopalians – not Defendants, who have violated their own Episcopal oaths and vows, 100 years of law, and their own prior testimony about breakaway factions. Defendants' speculative "empty church" position is nothing more than an unsubstantiated scare tactic – Defendants admit to the Court it is based on rank speculation.<sup>64</sup> In reality, the Local Episcopal Parties have already prepared a detailed reconciliation and recovery plan to repatriate their churches with not only the exiled loyal Episcopalians, who are currently worshipping in temporary spaces, but also with those who currently remain with the buildings but await reconciliation.<sup>65</sup> And on the equities, the only reason Defendants ever had any right to use and benefit from the local church property and funds was because they promised to comply with the rules of The Episcopal Church.<sup>66</sup> Defendants long accepted the benefits of being part of The Episcopal Church.<sup>67</sup> This Court should not reward Defendants for thumbing their nose at their own promises and at a century of law – law

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<sup>63</sup> See n. 62, *supra*.

<sup>64</sup> See *id.* at 23:8-11 ("Now, I'm not going to speculate as to who stays and who goes. And I don't think . . . that anybody here can").

<sup>65</sup> A1379-82 (Ex. P, Mar. 21, 2011 Ohl Aff. at ¶¶ 4-10).

<sup>66</sup> A627-28 (Ex. D-36, Church Art. VIII); A675-76 (Ex. D-36).

<sup>67</sup> A577 (Ex. D-28, Excerpts from the Journal of the Twelfth Annual Meeting of the Diocese of Fort Worth, 1994, at p. 41); A592, 596 (Ex. D-29, Excerpts from the Journal of the Episcopal Diocese of Fort Worth, 2006, at pp. 96, 113); A660-62 (Ex. D-36, Church Canon I.8); A539.2-3 (Ex. D-21, Diocesan Canon 39).



they have previously benefited from in court<sup>68</sup> – while punishing law-abiding loyal Episcopalians who have suffered already for two years.

For all of these reasons, additional permanent injunctive relief upon any final judgment in this case (or in any part of this case severed for appellate purposes) is crucial to prevent more irreparable harm by Defendants.

## VI. RELIEF REQUESTED

Accordingly, the Local Episcopalians respectfully request:

### A. Judgment Against Remaining Parties

In its February 8, 2011 Amended Order on Summary Judgment, the Court issued the following judgments:

1. The Episcopal Church's Motion for Summary Judgment is **GRANTED** in part.
2. The Local Episcopal Parties' Amended Motion for Partial Summary Judgment is **GRANTED** in part.
3. Defendants' Motion for Partial Summary Judgment is **DENIED**.

Here, the Local Episcopalians respectfully request that the Court issue the following supplemental orders:

1. Partial summary judgment for the Local Episcopal Parties and Local Episcopal Congregations against Defendant Hightower on the Local Episcopal Parties' and the Local Episcopal Congregations' declaratory and injunctive claims on the grounds stated in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion and for the relief granted in the Court's February 8, 2011 Order and sought herein.

2. Partial summary judgment for the Local Episcopal Congregations against all of the Individual Defendants and the Defendant Diocese and the Defendant Corporation on the Local Episcopal Congregations' claims for declaratory and injunctive relief on the grounds stated in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion and for the relief granted in the Court's February 8, 2011 Order and sought herein.

3. Partial summary judgment for the Local Episcopal Parties and the Local Episcopal Congregations and against the Defendant Congregations on the Local Episcopal

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<sup>68</sup> A978 (Ex. G, Nelson Aff. at ¶ 3).

Parties' and the Local Episcopal Congregations' claims for declaratory and injunctive relief on the grounds stated in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion and for the relief granted in the Court's February 8, 2011 Order and sought herein.

4. Summary judgment in favor of the Local Episcopal Parties and against the Defendant Diocese and Defendant Corporation on all claims asserted by the Defendant Diocese and Defendant Corporation on the grounds stated in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion, dismissing those claims with prejudice.

5. Summary judgment in favor of the Local Episcopal Parties against the Defendant Congregations on all claims asserted by the Defendant Congregations against the Local Episcopal Parties on the grounds stated in the Local Episcopal Parties' Amended Motion for Partial Summary Judgment and in this Motion, dismissing those claims with prejudice.

## **B. Further Declarations**

In its February 8, 2011 Amended Order on Summary Judgment, the Court issued the following declaratory judgments pursuant to Texas Civil Practice and Remedies Code §§ 37.001, *et seq.*, declaring that:

1. The Episcopal Church (the "Church") is a hierarchical church as a matter of law, and since its formation in 1983 the Episcopal Diocese of Fort Worth (the "Diocese") has been a constituent part of the Church. Because the Church is hierarchical, the Court follows Texas precedent governing hierarchical church property disputes, which holds that in the event of a dispute among its members, a constituent part of a hierarchical church consists of those individuals remaining loyal to the hierarchical church body. *See, e.g. Brown v. Clark*, 102 Tex. 323, 116 S.W. 360 (1909); *Presbytery of the Covenant v. First Presbyterian Church*, 552 S.W.2d 865 (Tex. Civ. App. - Texarkana 1977, no writ). Under the law articulated by Texas courts, those are the individuals who remain entitled to the use and control of the church property. *Id.*

2. As a further result of the principles set out by the Supreme Court in *Brown* and applied in Texas to hierarchical church property disputes since 1909, the Court also declares that, because The Episcopal Church is hierarchical, all property held by or for the Diocese may be used only for the mission of the Church, subject to the Church's Constitution and canons.

3. Applying those same cases and their recognition that a local faction of a hierarchical church may not avoid the local church's obligations to the larger church by amending corporate documents or otherwise invoking nonprofit corporations law, see *Green v. Westgate Apostolic Church*, 808 S.W.2d 547, 552 (Tex. App. — Austin 1991, writ denied); *Presbytery of the Covenant*, 552 S.W.2d at 870, 872; *Church of God in Christ, Inc. v. Cawthon*, 507 F.2d 599, 600-02 (5th Cir. 1975); *Norton v. Green*, 304 S. W.2d 420, 423-24 (Tex. Civ. App.— Waco 1957, writ ref d n.r.e.), the Court further declares that the changes made by Defendants to the articles and bylaws of the Corporation are *ultra vires* and void.

Here, the Local Episcopalians respectfully request that the Court issue the following supplemental Declaratory Judgment pursuant to Texas Civil Practice and Remedies Code §§ 37.001, *et seq.*:

1. A declaration that, to the extent that any declaration issued by this Court in this case involves an ecclesiastical determination, **the Court defers to and applies the ecclesiastical determination of The Episcopal Church as conclusive and binding for civil law purposes as a matter of law**; alternatively, to the extent that any declaration issued by this Court in this case does not involve an ecclesiastical determination, the Court makes that declaration as a matter of law;

2. A declaration that there is only one Episcopal Diocese of Fort Worth (the “Diocese”), which is the continuing Episcopal Diocese of Fort Worth that has been a constituent entity of the Church since its formation effective January 1, 1983 and continuing to the present day;<sup>69</sup> there is only one Bishop of the Episcopal Diocese of Fort Worth (the “Bishop”); there is only one Standing Committee of the Episcopal Diocese of Fort Worth (the “Standing Committee”); there is only one Corporation of the Episcopal Diocese of Fort Worth (the “Diocesan Corporation”); there is only one Fund for the Endowment of the Episcopate of the Episcopal Diocese of Fort Worth (the “Endowment Fund”); and there is only one of each of the parishes and missions constituting congregations of the Episcopal Diocese of Fort Worth (see Schedule B<sup>70</sup> attached);<sup>71</sup>

3. A declaration that the Plaintiffs and Third-Party Defendants and their duly elected or appointed successors, as recognized by The Episcopal Church, are the proper authorities of the Diocese, the bishops, the members of the Standing Committee, and the Trustees of the Diocesan Corporation and the Endowment Fund, respectively, and are entitled to the use and control of the Episcopal Property,<sup>72</sup> and that Defendants and their successors do not hold those offices and are

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<sup>69</sup> See Local Episcopal Parties’ Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Sections VI.B, VII.B, and VIII.F; A434-35 (Ex. D-17, Journal of the General Convention of the Protestant Episcopal Church in the United States of America (1982) at pp. C-169-170); A516, 518-25 (Ex. D-19, Proceedings of the Primary Convention of the Episcopal Diocese of Fort Worth (1982) at pp. 11, 25-32); A1273 (Ex. J-2, 1982 Resolution Number 1982-B018 to Ratify the Division of the Diocese of Dallas Into Two Jurisdictions); A900 (Ex. F-7, Notice of Special Meeting of the Convention of the Episcopal Diocese of Fort Worth); A5-7 (Ex. A, Ohl Aff. at ¶ 5); A23-25 (Ex. A-2, Letters of Congratulations and Commendation); A365-66 (Ex. D-3, Excerpts from the Episcopal Church Annual, 2010); A613-14 (Ex. D-35, Excerpt from The Episcopal Church Annual for 2009); A871, 875-76 (Ex. E-1, Excerpts from the 2009 Journal of the General Convention at pp. 354, 734-35); -80 (Ex. E-2, 2009 Annual Report of the Episcopal Diocese of Fort Worth).

<sup>70</sup> See also A1289-1303 (Ex. L-1, Diocesan Directory) and A1389-90 (Ex. P, List and Status of Congregations) in support.

<sup>71</sup> See n. 69, *supra* and n. 76, *infra*.

<sup>72</sup> “Episcopal Property” is defined as (1) the real and personal property listed in Schedule A (attached), and (2) any and all real or personal property, of any character or kind, type or description, including all bank accounts and financial assets, that were held by or for the benefit of the Diocese, the Diocesan Corporation, the Fund for the Endowment of the Episcopate, any of the parishes or missions of the Diocese (see Schedule B), or any other constituent entity of the Diocese, as of November 15, 2008, as well as any property acquired using, or as a result of, other Episcopal Property in any way, including but not limited to income generated by selling, investing, or

not entitled to the use or control of said property;<sup>73</sup> Defendant Diocese, to any extent that it is a separate and existing entity, is not the continuing Episcopal Diocese of Fort Worth;<sup>74</sup>

4. A declaration that, as the proper authorities of the Diocese, the bishops, the members of the Standing Committee, and the Trustees of the Diocesan Corporation and the Endowment Fund, respectively, the Plaintiffs and Third-Party Defendants and their duly elected or appointed successors, as recognized by The Episcopal Church, are authorized to update the signature cards on any accounts held by the Diocese, the Diocesan Corporation, or the Endowment Fund and to file proper articles of incorporation and by-laws and any other necessary filings with the Texas Secretary of State;<sup>75</sup>

5. A declaration that each of the parishes and missions listed in Schedule B is represented by those of its members who have remained a part of The Episcopal Church, under the leadership of those recognized as such by the Church and the Diocese.<sup>76</sup>

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encumbering with debt, leases, or liens any Episcopal Property, and property purchased with Episcopal Property or with funds derived from Episcopal Property. Episcopal Property also includes any and all property that originated as Episcopal Property, including any and all Episcopal Property that Defendants have re-characterized, transferred to different accounts, placed under different names, transferred to new entities, or commingled with other property. Relief granted by this Court in this case applies to all Episcopal Property.

<sup>73</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Sections VI.B and VII.F; A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release); A730 (Ex. D-36, Church Canon III.12.7(a); A537 (Ex. D-21, Diocesan Canon 11); A1263-64 (Ex. H-5, Letter from the Presiding Bishop to six former members of the Standing Committee); A900 (Ex. F-7, Notice of Special Meeting of the Convention of the Episcopal Diocese of Fort Worth); A28-31 (Ex. B, Gulick Aff. at ¶¶ 3-5, 7); A939-43, 948-50, 954, 967, 971, 984 (Ex. F-11, Excerpts from 2009 Journal of Special Convention and Diocesan Convention at pp. 19-23, 33-35, 77, 86); A3-7, 8-9 (Ex. A, Ohl Aff. at ¶¶ 4-5, 7-11); A23-25 (Ex. A-2, Letters of Congratulations and Commendation); A A363, 365-66 (Ex. D-3, Excerpts from the Episcopal Church Annual, 2010); A609-10 (Ex. D-34, Consent forms signed by Bishop Gulick and the Standing Committee); A613-14 (Ex. D-35, Excerpt from The Episcopal Church Annual for 2009); A30-31 (Ex. B, Gulick Aff. at ¶ 7); A869, 871, 875-76 (Ex. E-1, Excerpts from the 2009 Journal of the General Convention at pp. 50, 354, 734-35); A1262 (Ex. H-4, Consent forms signed by Bishop Ohl); A610 (Ex. D-34, Consent form signed by the Standing Committee); A877-80 (Ex. E-2, 2009 Annual Report of the Episcopal Diocese of Fort Worth).

<sup>74</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Sections VI.B, VII.B, and VII.F; A434-35 (Ex. D-17, Journal of the General Convention of the Protestant Episcopal Church in the United States of America (1982) at pp. C-169-170); A516, 518-25 (Ex. D-19, Proceedings of the Primary Convention of the Episcopal Diocese of Fort Worth (1982) at pp. 11, 25-32); A1273 (Ex. J-2, 1982 Resolution Number 1982-B018 to Ratify the Division of the Diocese of Dallas Into Two Jurisdictions); A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release); A730 (Ex. D-36, Church Canon III.12.7(a)); A537 (Ex. D-21, Diocesan Canon 11); A1263-64 (Ex. H-5, Letter from the Presiding Bishop to six former members of the Standing Committee); A900 (Ex. F-7, Notice of Special Meeting of the Convention of the Episcopal Diocese of Fort Worth); A5-7 (Ex. A, Ohl Aff. at ¶ 5); A23-25 (Ex. A-2, Letters of Congratulations and Commendation); A365-66 (Ex. D-3, Excerpts from the Episcopal Church Annual, 2010); A613-14 (Ex. D-35, Excerpt from The Episcopal Church Annual for 2009); A871, 875-76 (Ex. E-1, Excerpts from the 2009 Journal of the General Convention at pp. 354, 734-35); -80 (Ex. E-2, 2009 Annual Report of the Episcopal Diocese of Fort Worth).

<sup>75</sup> See n. 73, *supra*.

<sup>76</sup> A1285-88 (Ex. L, Jan. 5, 2011 Ohl Aff. at ¶¶ 3-8); A1289-1302 (Ex. L-1, Diocesan Directory); A1303-06 (Exs. L-2 and L-3, Notices of Deposition and Inhibition).

6. A declaration that the leaders of the parishes and missions listed in Schedule B and the Bishop of the Diocese, his or her designees, and the members of the Bishop's committees and vicars of the missions listed in Schedule B and their duly elected or appointed successors, as recognized by The Episcopal Church, are the rightful leaders of those parishes and missions, as recognized by The Episcopal Church, and are entitled to the use and control of the Episcopal Property held by or for the parishes and missions listed in Schedule B, and that the Defendant Congregations using the names of the parishes and missions listed in Schedule B and the leaders of those Defendant Congregations and all others acting in concert with Defendants are not entitled to the use or control of said property;<sup>77</sup>

7. A declaration that Bishop Gulick, the bishop selected at the Special Convention in February 2009, and his successors, including Bishop Ohl, as recognized by The Episcopal Church, were and are the Bishop(s) of the Diocese after February 7, 2009, and that Bishop Iker does not hold that office and has not held that office since November 15, 2008;<sup>78</sup>

8. A declaration that Bishop Ohl, the bishop selected at the Annual Convention of November 13-14, 2009, and his successors, and the members of the Standing Committee of the Diocese and the Trustees of the Diocesan Corporation and the Endowment Fund, respectively, selected at or immediately after the meeting of the Special Convention of February 7, 2009 and the Annual Convention of November 13-14, 2009, respectively, and their successors, as recognized by The Episcopal Church, comprise the Bishop and members of the Standing Committee of the Diocese and are the Trustees of the Diocesan Corporation and Endowment Fund, respectively, and that the Defendants and their successors do not hold and have not, since November 15, 2008, held any of those offices;<sup>79</sup>

9. A declaration that Kathleen Wells has, since February 7, 2009, held the office of Chancellor for the Episcopal Diocese of Fort Worth, that she has acted at all times in accordance with her position and within her authority as Diocesan Chancellor, and that, since February 7, 2009, she has been authorized to represent the Diocese, the Standing Committee, the Diocesan Corporation, and the Endowment Fund as their legal counsel;<sup>80</sup>

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<sup>77</sup> See Section V.D, *supra*; A1285-88 (Ex. L, Jan. 5, 2011 Ohl Aff. at ¶¶ 3-8); A1289-1302 (Ex. L-1, Diocesan Directory); A1303-06 (Exs. L-2 and L-3, Notices of Deposition and Inhibition).

<sup>78</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Sections VI.B and VII.F; A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release); A730 (Ex. D-36, Church Canon III.12.7(a)); A537 (Ex. D-21, Diocesan Canon 11); A900 (Ex. F-7, Notice of Special Meeting of the Convention of the Episcopal Diocese of Fort Worth); A28-31 (Ex. B, Gulick Aff. at ¶¶ 3-5, 7); A3-7 (Ex. A, Ohl Aff. at ¶¶ 4-5); A23-25 (Ex. A-2, Letters of Congratulations and Commendation); A A363, 365-66 (Ex. D-3, Excerpts from the Episcopal Church Annual, 2010); A609-10 (Ex. D-34, Consent forms signed by Bishop Gulick and the Standing Committee); A613-14 (Ex. D-35, Excerpt from The Episcopal Church Annual for 2009) A1262 (Ex. H-4, Consent forms signed by Bishop Ohl).

<sup>79</sup> See n. 73, *supra*.

<sup>80</sup> A951, 969 (Ex. F-11, Excerpts from 2009 Journal of Special Convention and Diocesan Convention at pp. 37, 62); A2291 (Ex. CC, Sept. 8, 2009 Gulick Aff. at ¶¶ 17-18).

10. A declaration that Jonathan D.F. Nelson is, and has been since before suit was filed in this case, authorized to represent the Diocese, the Standing Committee, the Diocesan Corporation, and the Endowment Fund as their legal counsel;<sup>81</sup>

11. A declaration that, as the Court has determined on the merits in the course of litigation, in deference to the ecclesiastical determinations of The Episcopal Church and applying those ecclesiastical determinations as conclusive and binding for civil law purposes, Plaintiffs and Third-Party Defendants and their duly elected or appointed successors, as recognized by The Episcopal Church, are the proper authorities of the Diocese, the Diocesan Corporation, the Endowment Fund, and the Diocese's other constituent entities; they, and not Defendants, can authorize counsel to represent the Diocese, the Diocesan Corporation, the Endowment Fund, and other Diocesan constituent entities and to prosecute or defend claims in this matter on their behalf and in the name of those entities; that the claims that have been prosecuted by the Plaintiffs are also claims properly brought in the name of the Diocese, the Diocesan Corporation, the Endowment Fund, and the Diocese's other constituent entities; that these claims should properly be replead as such; and that the Modified Order Granting Rule 12 Motion, dated July 8, 2010, is no longer in effect now that the Court has reached the merits of the identity issue;<sup>82</sup>

12. A declaration that the Defendant Corporation, the Defendant Diocese, and the Defendant Congregations do not have legal capacity to sue as the parties as which they have purported to appear (the Diocesan Corporation, the Diocese, and the historical parishes and missions of the Diocese, respectively), are not entitled to recover in the capacity in which they have sued, and/or lack standing to pursue their claims;<sup>83</sup>

13. A declaration that all Episcopal Property is held in trust for and may be used only for the mission of the Church and the Diocese, subject to the Constitutions and canons of the Church and the Diocese;<sup>84</sup>

14. A declaration that Defendants have no rights to or authority over any Episcopal Property, and that Defendants have no right or authority to possess, divert, encumber, alienate, transfer, or use any such property;<sup>85</sup>

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<sup>81</sup> A2291 (Ex. CC, Sept. 8, 2009 Gulick Aff. at ¶¶ 17-18).

<sup>82</sup> See n. 73, *supra*; A2291 (Ex. CC, Sept. 8, 2009 Gulick Aff. at ¶¶ 17-18).

<sup>83</sup> See n. 69, *supra* and n. 76, *infra*.

<sup>84</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VII.C; A660 (Ex. D-36, Church Canon I.7.4); A534 (Ex. D-21, Diocesan Art. 13); A538 (Ex. D-21, Diocesan Canon 12.1); A539.1 (Ex. D-21, Diocesan Canon 25); A1075, 1086-88 (Ex. G-6, Plaintiff's Original Petition in *The Episcopal Diocese of Dallas v. Mattox* at pp. 2, 13-15); A1140 (Ex. G-7, Judgment in *The Episcopal Diocese of Dallas v. Mattox* at p. 2).

<sup>85</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VI.B.2 and VI.B.3; n. 73, 76, *supra*; A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker, December 5, 2008); A1263-64 (Ex. H-5, Letter to six former members of the Standing Committee of the Diocese from the Presiding Bishop, December 15, 2008); A8-9 (Ex. A, Ohl Aff. at ¶¶ 7-11)

15. A declaration that the Plaintiffs, along with Third-Party Defendants and Counterclaimants, and their duly elected or appointed successors and the parishes and missions listed in Schedule B, as recognized by The Episcopal Church, are entitled to the exclusive use of the name, seal, and other intellectual property of the Diocese and its parishes and missions and/or the Diocesan Corporation and/or the Endowment Fund and/or any other constituent entities of the Diocese, including the name of the Diocesan Corporation, and that Defendants and their successors may not use said names, seal, and other intellectual property;<sup>86</sup>

16. A declaration that the August 15, 2006 (filed September 5, 2006) and April 21, 2009 attempted changes by the Defendants to the articles and bylaws of the Diocesan Corporation were ultra vires, unauthorized, void, and without effect, as recognized by The Episcopal Church;<sup>87</sup>

17. A declaration that the Defendants' actions seeking to withdraw the Episcopal Diocese of Fort Worth, its Corporation, its Endowment Fund, its parishes or missions, or other Diocesan institutions or any property of any character or kind from The Episcopal Church were and are unauthorized, void, and without effect, as recognized by The Episcopal Church;<sup>88</sup>

18. A declaration that the Defendants' actions since November 15, 2008 purportedly in the name of the Episcopal Diocese of Fort Worth, its Corporation, its Endowment Fund, the parishes and missions of the Diocese, or any other constituent entities of the Diocese were and are unauthorized, as recognized by The Episcopal Church;<sup>89</sup>

19. In addition to applying to the Individual Defendants, the declarations made and issued in paragraphs 1-19 above apply to any extent necessary against the Episcopal Diocese of Fort Worth under the leadership of the Individual Defendants and against the Corporation of the Episcopal Diocese of Fort Worth under the leadership of the Individual Defendants.

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<sup>86</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VII.G; A886-87 (Ex. F, Wells Aff. at ¶¶ 11-12); A804 (Ex D-37, Excerpt from the Episcopal Church Annual for 1984); A901-04 (Ex. F-8, Certificates of Registration for Diocesan Name and Seal); A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker, December 5, 2008); A1263-64 (Ex. H-5, Letter to six former members of the Standing Committee of the Diocese from the Presiding Bishop, December 15, 2008); A900 (Ex. F-7, Notice of Special Meeting from Presiding Bishop recognizing vacancies in Diocesan leadership positions); A2292-2301 (Ex. DD, McClain Aff. and Exhibits); see also n. 73, *supra*.

<sup>87</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VII.F; A31 (Ex. B, Gulick Aff. at ¶ 9); A35-39 (Ex. B-1, Amended and Restated Articles of Incorporation).

<sup>88</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VI.B.2 and VI.B.3; n. 73, 76, *supra*; A29 (Ex. B, Gulick Aff. at ¶ 6); A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker, December 5, 2008); A1263-64 (Ex. H-5, Letter to six former members of the Standing Committee of the Diocese from the Presiding Bishop, December 15, 2008).

<sup>89</sup> See Local Episcopal Parties' Amended Motion for Partial Summary Judgment, filed Dec. 21, 2010, at Section VI.B.2 and VI.B.3; n. 74, 76, *supra*; A8-9 (Ex. A, Ohl Aff. at ¶¶ 7-11); A608 (Ex. D-33, Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker, December 5, 2008); A1263-64 (Ex. H-5, Letter to six former members of the Standing Committee of the Diocese from the Presiding Bishop, December 15, 2008).

20. All declarations herein apply not only to Defendants but to their individual agents and successors.

**C. Permanent Injunction**

In its February 8, 2011 Amended Order on Summary Judgment, the Court issued the following permanent injunctive relief:

1. The Court hereby ORDERS the Defendants to surrender all Diocesan property, as well as control of the Corporation, to the Diocesan plaintiffs 30 days after Judgment becomes final.

2. The Court hereby ORDERS the Defendants to desist from holding themselves out as leaders of the Diocese when this Order becomes final and appealable.

Here, in light of Defendants' egregious conduct – including placing a \$3,500,000 insider lien over property in dispute and telling this Court they are “judgment proof” (and that seeking any economic compensation for these harms is “wasting time”) – the Local Episcopalians request the following supplemental permanent injunctive relief upon the Court's signing of final judgment in this case (or upon signing of final judgment in any portion of this case severed for appeal), pursuant to the Court's statutory power to enforce its declaratory judgments with supplemental ancillary injunctive relief and/or under the common law test for permanent injunctions:

1. An injunction requiring Defendants, their officers, agents, servants, employees, and attorneys, and any persons in active concert or participation with them to vacate and surrender possession of all Episcopal Property, to surrender control of the Diocesan Corporation to the Local Episcopal Parties, and to relinquish to Plaintiffs and Third-Party Defendants and to the authorized leaders of the parishes and missions listed in Schedule B, as recognized by The Episcopal Church, the possession of all Episcopal Property, and to execute any necessary documents to accomplish the surrender of such control and such property;

2. An injunction prohibiting Defendants, their officers, agents, servants, employees, and attorneys, and any persons in active concert or participation with them from granting, conveying, selling, alienating, leasing, encumbering, disposing of, destroying, damaging, using, removing, hiding, obscuring, diverting, shifting to new accounts, commingling with other property, in any way transferring, or claiming the right to control any Episcopal Property;



3. An injunction prohibiting Defendants, their officers, agents, servants, employees, and attorneys, and any persons in active concert or participation with them from using or depleting any of the following: (1) money that was held as of November 14, 2008 in any bank account, investment account, endowment account, or other account by or on behalf of the Diocese, the Diocesan Corporation, the Endowment Fund, any parish or mission of the Diocese, or any other Diocesan entity or entities; (2) any interest or other income from Episcopal Property; or (3) the proceeds from the sale, lease, or encumbrance of any Episcopal Property;

4. An injunction prohibiting Defendants, their officers, agents, servants, employees, and attorneys, and any persons in active concert or participation with them from holding themselves out as officers or other leaders of the Diocese, its parishes and missions, the Diocesan Corporation, the Endowment Fund, and/or any other constituent entities of the Diocese, or using the name, seal, symbols, and other trademarks and intellectual property of the Diocese, its parishes and missions, the Diocesan Corporation, the Endowment Fund, and/or any other constituent entities of the Diocese;

5. An injunction prohibiting Defendants, their successors and assigns, and any person acting in concert with them from holding themselves out as the Diocese, the Diocesan Corporation, the Endowment Fund, any of the Episcopal parishes or missions, or any other constituent entity of the Diocese.

The Local Episcopalians also respectfully request any other or further relief to which they may be justly entitled.<sup>90</sup>

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<sup>90</sup> This motion does not include a request for an accounting at this time because discovery remains ongoing. However, this in no way constitutes a waiver of the Local Episcopal Parties' or the Local Episcopal Congregations' right to obtain an accounting in the future, and the Local Episcopal Parties and Local Episcopal Congregations reserve this right.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been sent this  
31st day of March, 2011, by hand-delivery or Federal Express, to:

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*Tom Leatherbury w/perm.*  
*Kyle Young*

# **EXHIBIT A**

--- S.W.3d ---, 2011 WL 1005382 (Tex.App.-Austin)  
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Court of Appeals of Texas,  
 Austin.

Robert MASTERSON, Mark Brown, George Butler,  
 Charles Westbrook, Richey Oliver, Craig Porter,  
 Sharon Weber, June Smith, Rita Baker, Stephanie  
 Peddy, Billy Ruth Hodges, Dallas Christian and The  
 Episcopal Church of the Good Shepherd, Appellants

v.

The DIOCESE OF NORTHWEST TEXAS, The  
 Rev. Celia Ellery, Don Griffis and Michael Ryan,  
 Appellees.

No. 03-10-00015-CV.  
 March 16, 2011.

From the District Court of Tom Green County, 51st  
 Judicial District, No. A-07-0237-C; J. Blair Cherry,  
 Judge Presiding.  
George S. Finley, for Appellants.

Guy D. Choate, Jim Hund, for Appellees.

Before Chief Justice JONES, Justices HENSON and  
GOODWIN.

### OPINION

J. WOODFIN JONES, Chief Justice.

\*1 This appeal arises from a property dispute among parishioners from the Episcopal Church of the Good Shepherd (“Good Shepherd”) in San Angelo, Texas. In 2006, a majority of the Good Shepherd parishioners voted to withdraw Good Shepherd from the Episcopal Church of the United States and the Diocese of Northwest Texas and to reorganize as the Anglican Church of the Good Shepherd affiliated with the Diocese of Uganda, Africa; a minority voted to continue Good Shepherd's affiliation with the Episcopal Church and the Diocese of Northwest Texas (the “Diocese”). The Diocese and the individual appellees, The Rev. Celia Ellery, Don Griffis, and

Michael Ryan (collectively, the “Continuing Parish Leaders”), filed suit for declaratory judgment to establish their rights to continued possession and control over the church property, which was claimed by appellants, who are members of the withdrawing group (collectively, the “Former Parish Leaders”).<sup>FNI</sup> The Former Parish Leaders counterclaimed with a suit to quiet title and request for declaratory judgment that they were entitled to possession and use of the church property. The Diocese and Continuing Parish Leaders moved for summary judgment, which the trial court granted. The Former Parish Leaders appeal, arguing primarily that the trial court erred in failing to properly apply “neutral principles” of law to resolve the dispute. We will affirm the trial court's judgment.

<sup>FNI</sup>. The individual appellants include Robert Masterson, Mark Brown, George Butler, Charles Westbrook, Richey Oliver, Craig Porter, Sharon Weber, June Smith, Rita Baker, Stephanie Peddy, Billy Ruth Hodges, and Dallas Christian. Good Shepherd was named as a nominal defendant, as it was under the control of the Former Parish Leaders at the time the suit was filed. It is now a nominal appellant.

### FACTUAL AND PROCEDURAL BACK- GROUND

The Diocese is one of 111 regional dioceses of the Episcopal Church, responsible for carrying out the Episcopal Church's ministry and mission within a geographical area that includes Good Shepherd. In 1961, three members of the Episcopal Church purchased a tract of land in San Angelo on which Good Shepherd was later built. The following year, they donated the property to the Trustees of the Diocese for the purpose of establishing a mission church. In September 1965, Good Shepherd submitted an “Application for Organization of Mission,” in which it promised to “establish and sustain the regular worship of the [Episcopal] Church, to promote its purpose and influence” and to “conform[ ] to the Constitution and Canons of the General Convention and the Diocese of Northwest Texas.” Thereafter, Good Shepherd participated in the annual Conventions for the Episcopal Diocese of Northwest Texas each year

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from its formation until the present dispute arose.

In 1974, after the Good Shepherd mission was incorporated, it achieved parish status and was accepted into union with the Diocese.<sup>FN2</sup> The same year, the first vestry of Good Shepherd filed articles of incorporation as the “Episcopal Church of the Good Shepherd,” pledging to hold office in accordance with the Episcopal Church Canons. Thereafter, Good Shepherd enacted Bylaws, which provide that Good Shepherd is

FN2. Under the Diocesan Canons, title to any property acquired by or for a mission congregation shall be held by the Diocese “until such time as the Mission becomes a Parish.” On achieving parish status, a congregation must incorporate under the laws of Texas in order to facilitate and conduct its affairs; “such incorporated parish shall hold title of and administer the real property and trust funds of the Parish.” If a parish is dissolved by the Diocese, “such property as it may own shall be delivered and conveyed to the [Diocese].”

a constituent part of the Diocese of Northwest Texas and of the Protestant Episcopal Church in the United States of America. The parish accedes to, recognizes, and adopts the General Constitution and Canons of that Church, and the Constitution and Canons of the Diocese of Northwest Texas and acknowledges the authority of the same.<sup>FN3</sup>

FN3. A number of the Canons of the Episcopal Church and the Diocese contain provisions relating to possession and use of church property, chiefly Canon I.7.4, which recites an express trust in favor of the denominational church: “All real and personal property held by or for the benefit of any congregation is held in trust for this Church and the Diocese thereof in which such congregation is located. The existence of this trust, however, shall in no way limit the power and authority of the congregation otherwise existing over such property so long as the particular congregation remains a part of, and subject to, this Church and its Constitution and Canons .”

\*2 The Bylaws further state that

[t]he Rector, Wardens and Vestry of the Church of the Good Shepherd are hereby constituted Trustees Corporate and Politic. If the Parish be without a Rector, all rights respecting title to properties of the Parish shall be vested in the Wardens and Vestry with the condition that any change thereof be made with the knowledge and written consent of the then ecclesiastical authority of the Diocese.

In 1982, the Board of Trustees for the Diocese conveyed the property and improvements thereon to Good Shepherd by general warranty deed for ten dollars. Title to the land was taken in the name of the “Good Shepherd Episcopal Church.” The land conveyed by the 1982 deed, along with an additional tract acquired in 2005 and the personal property of Good Shepherd, constitute the church property subject to the instant dispute.

In November 2006, the vestry of Good Shepherd recommended certain resolutions that sought to withdraw Good Shepherd from the Episcopal Church and the Diocese and to begin worship as a new, distinct, and independent church. The resolutions purported to change the name of Good Shepherd to the “Anglican Church of the Good Shepherd,” to dissolve its union with the Episcopal Church and with the Diocese, and to revoke any trusts previously imposed on any property of Good Shepherd in favor of the Episcopal Church, the Diocese, or the Northwest Episcopal Board of Trustees. A majority of Good Shepherd’s members voted to adopt the resolutions by a margin of 53 to 30. In response, Wallace Ohl, Bishop of the Episcopal Church in the Diocese of Northwest Texas, reached out to the parishioners who wished to remain with the Episcopal Church. Bishop Ohl requested that those parishioners who wished to leave the Episcopal Church depart the premises by January 5, 2007, and informed the Former Parish Leaders that Good Shepherd’s real and personal property was held in trust for the Diocese for the benefit of the Episcopal Church and those members of Good Shepherd who remained faithful. Since then, the continuing parishioners of Good Shepherd have elected a new vestry, which has been recognized by Bishop Ohl and the Diocese as the true and proper representative of Good Shepherd. The Reverend Celia Ellery was appointed priest-in-charge, effective January 6, 2007.

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When the Former Parish Leaders and the parishioners aligned with them refused to vacate the premises in accordance with Bishop Ohl's order, the Diocese and Continuing Parish Leaders filed this suit for declaratory judgment. The Former Parish Leaders filed an answer and counterclaims, seeking to quiet title and have the trial court declare that they, the Anglican Church of the Good Shepherd, were entitled to retain control over the property. The Diocese and Continuing Parish Leaders moved for summary judgment on the grounds that the church property is, as a matter of law, held in trust for the Episcopal Church and the Diocese for those members of Good Shepherd who remain loyal and that, pursuant to Texas law and Episcopal Church Canons, the dissenting members could not unilaterally dissolve the relationship between Good Shepherd and the Diocese and still retain control and use of the property.

\*3 The trial court granted the Diocese and Continuing Parish Leaders' motion for summary judgment, declaring that the Former Parish Leaders may not divert, alienate, or use the real or personal property of Good Shepherd, except in furtherance of the mission of the Episcopal Church as provided by and in accordance with the Constitutions and Canons of the Episcopal Church and the Diocese. The court further declared that:

the continuing Parish of the Good Shepherd is identified as and represented by those persons recognized by the Bishop of the Episcopal Diocese of Northwest Texas;

the actions of the Defendants in seeking to withdraw Good Shepherd as a Parish of the Diocese and from the Episcopal Church are void and without effect; and

all real and personal property of the Good Shepherd is held in trust for the Episcopal Church and the Diocese.

The Former Parish Leaders perfected this appeal.

#### STANDARD OF REVIEW

We review a trial court's grant of summary judgment de novo. *Mid-Century Ins. Co. v. Ademaj*, 243 S.W.3d 618, 622 (Tex.2007). When reviewing a summary judgment, we take as true all evidence favorable to the nonmovant, and we indulge every rea-

sonable inference and resolve any doubts in the nonmovant's favor. *Provident Life & Accident Ins. Co. v. Knott*, 128 S.W.3d 211, 215 (Tex.2003). The party moving for a traditional summary judgment bears the burden of showing that no genuine issue of material fact exists and that it is entitled to judgment as a matter of law. *Id.* at 216.

#### DISCUSSION

In their first issue, the Former Parish Leaders argue that the trial court erred by failing to resolve the property dispute through the application of "neutral principles of law." In their second issue, they assert that the trial court erred in rendering summary judgment "that deferred the dispute to a ruling by the Bishop." Specifically, the Former Parish Leaders contend that this dispute can be resolved simply by interpreting the 1982 general warranty deed in conjunction with constitutional and common law principles. These neutral principles of law, they argue, conclusively establish that control of Good Shepherd vests in its members, that the majority's vote to withdraw was effective and did not require the consent of the Episcopal Church, and that any claim to the property of Good Shepherd by the Diocese on behalf of the Episcopal Church contradicts the terms of the general warranty deed held by Good Shepherd. In order to adequately address these complaints, we will first briefly outline the law governing these types of church-property disputes.

#### *The First Amendment*

The First Amendment to the United States Constitution, applicable to the states through the Fourteenth Amendment, *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940), provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." U.S. Const. Amend. I. Government action can burden the free exercise of religion in one of two ways: by interfering with an individual's observance or practice of a particular faith, see, e.g., *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 532 (1993), or by encroaching on the church's ability to manage its internal affairs, see, e.g., *Kedroff v. St. Nicholas Cathedral*, 344 U.S. 94, 116 (1952).<sup>FN4</sup> Following this constitutional mandate, civil courts may not intrude into inherently "religious" or "ecclesiastical" matters. See *Westbrook v. Penley*, 231 S.W.3d 389, 398-99 (Tex.2006). In Texas, this doctrine has been referred to as one of "ecclesiastical abstention"

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or “ecclesiastical exemption.” See Lacy v. Bassett, 132 S.W.3d 119, 123 (Tex.App.-Houston [14th Dist.] 2004, no pet.); see also Patton v. Jones, 212 S.W.3d 541, 555 n. 13 (Tex.App.-Austin 2007, pet. denied); Schismatic & Purported Casa Linda Presbyterian Church v. Grace Union Presbytery, Inc., 710 S.W.2d 700, 703 (Tex.App.-Dallas 1986, writ ref’d n.r.e.). The ecclesiastical-abstention doctrine stands for the proposition that the First Amendment prohibits civil courts from exercising jurisdiction over matters concerning “theological controversy, church discipline, ecclesiastical government, or the conformity of the members of a church to the standard of morals required of them.” Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 713-14 (1976).

FN4. The dangers posed by civil courts probing too deeply into church affairs have been well articulated by the Supreme Court:

First Amendment values are plainly jeopardized when church property litigation is made to turn on the resolution by civil courts of controversies over religious doctrine and practice. If civil courts undertake to resolve such controversies in order to adjudicate the property dispute, the hazards are ever present of inhibiting the free development of religious doctrine and of implicating secular interests in matters of purely ecclesiastical concern.

Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 709-10 (1976); see also Watson v. Jones, 80 U.S. 679, 728-29 (1872).

\*4 [T]he First Amendment prohibits civil courts from resolving church property disputes on the basis of religious doctrine and practice. As a corollary to this commandment, the Amendment requires that civil courts defer to the resolution of issues of religious doctrine or polity by the highest court of a hierarchical church organization.

Jones v. Wolf, 443 U.S. 595, 602 (1979) (citations omitted).

#### ***The Neutral-Principles Approach***

The neutral-principles approach on which the Former Parish Leaders rely can be seen as an exception to the ecclesiastical-abstention doctrine. See

Westbrook, 231 S.W.3d at 398; see also Wolf, 443 U.S. at 602-05 (states may adopt neutral principles of law without running afoul of First Amendment so long as resolution of ownership entails no inquiry into religious doctrine). In the context of property-rights litigation, the neutral-principles approach confers jurisdiction on civil courts to apply neutral principles of law “developed for use in all property disputes, which can be applied without ‘establishing’ churches to which property is awarded” in violation of the First Amendment. Presbyterian Church v. Mary Elizabeth Blue Hull Mem’l Presbyterian Church, 393 U.S. 440, 449 (1969). In practice, this means that a court employing a neutral-principles approach may itself interpret the governing documents of the church, deeds of conveyance, canons, rules, and relevant statutes, so long as it does so without relying on religious precepts to resolve the underlying dispute. See Wolf, 443 U.S. at 604.

The neutral-principles approach was approved by the United States Supreme Court in Maryland & Virginia Eldership of the Churches of God v. Church of God at Sharpsburg, Inc., 396 U.S. 367 (1970), an appeal from a state court judgment settling a local church property dispute on the basis of the language of the deeds, the terms of the local church charters, the constitution of the general church, and state statutes. Reflecting on the advantages inherent in the neutral-principles approach, the Supreme Court in Jones v. Wolf noted that it “is completely secular in operation, and yet flexible enough to accommodate all forms of religious organization and polity,” as it relies exclusively on “objective, well-established concepts of trust and property law familiar to lawyers and judges.” 443 U.S. at 603.

Furthermore, the neutral-principles analysis shares the peculiar genius of private-law systems in general-flexibility in ordering private rights and obligations to reflect the intentions of the parties. Through appropriate reversionary clauses and trust provisions, religious societies can specify what is to happen to church property in the event of a particular contingency, or what religious body will determine the ownership in the event of a schism or doctrinal controversy. In this manner, a religious organization can ensure that a dispute over the ownership of church property will be resolved in accord with the desires of the members.



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\*5 *Id.* at 603-04.

But even the neutral-principles approach is not “wholly free of difficulty,” as “there may be cases where the deed, the corporate charter, or the constitution of the general church incorporates religious concepts in the provisions relating to the ownership of property.” *Id.* at 604. “If in such a case the interpretation of the instruments of ownership would require the civil court to resolve a religious controversy, then the court must defer to the resolution of the doctrinal issue by the authoritative ecclesiastical body.” *Id.* (citing *Milivojevich*, 426 U.S. at 709). Therefore, even when a court is properly applying the neutral-principles approach, it will have to defer to decision makers within the church to the extent that resolution of the property dispute overlaps with ecclesiastical matters. *See id.*; *Westbrook*, 231 S.W.3d at 399 (“[I]f interpretation of the instruments of ownership would require the court’s resolution of a religious controversy, the court must defer to ecclesiastical resolution of the doctrinal issue.”).

An alternative to neutral principles is the approach the Supreme Court first articulated in *Watson v. Jones*, 80 U.S. 679 (1872). Under *Watson*, civil courts simply enforce the property decisions made by the relevant governing body within the church without inquiring whether that body has power under religious law to control the property in question. 80 U.S. at 722-24; *see Maryland & Va. Eldership of the Churches of God*, 396 U.S. at 368-69 (Brennan, J., concurring). The gist of this approach is that people who unite themselves to a church organization are seen to do so with an implied consent that intrachurch conflicts, including property disputes, will be decided by the church. *See Watson*, 80 U.S. at 722. Under the *Watson* “principle of government” or “compulsory deference” approach,

civil courts review ecclesiastical doctrine and polity to determine where the church has placed ultimate authority over the use of the church property. After answering this question, the courts would be required to determine whether the dispute has been resolved within that structure of government and, if so, what decision has been made. They would then be required to enforce that decision.

*Wolf*, 443 U.S. at 605 (internal quotation marks and citations omitted). Such a rule of compulsory

deference does not necessarily involve less entanglement of civil courts in matters of religious doctrine, however, because “civil courts would always be required to examine the polity and administration of a church to determine which unit of government has ultimate control over church property.” *Id.* at 605. In some cases, “the locus of control would be ambiguous,” requiring “a careful examination of the constitutions of the general and local church” and resulting in “a searching and therefore impermissible inquiry into church polity.” *Id.* Nevertheless, as *Jones v. Wolf* makes clear, it remains the rule that under any approach, civil courts must accept as binding a church adjudication regarding “questions of discipline, or of faith, or ecclesiastical rule, custom, or law.” *Id.* at 595 (citing *Watson*, 80 U.S. at 727).

#### *Neutral Principles v. Compulsory Deference: A Question of State Law*

\*6 Much of the Former Parish Leaders’ briefing is devoted to their position that the trial court was required to apply the neutral-principles approach, rather than the *Watson* rule of compulsory deference, and that it failed to do so. The United States Supreme Court, however, has expressly approved both of these methods for deciding questions of title to church property, leaving it to the states to decide which approach to adopt. *See id.* at 602 (“[T]he First Amendment does not dictate that a State must follow a particular method of resolving church disputes. Indeed, a State may adopt *any* one of various approaches for settling church property disputes so long as it involves no consideration of doctrinal matters ....” (internal quotation marks omitted)). In other words, “how state courts resolve church property disputes is a matter of state law,” so long as the method a state chooses does not violate the First Amendment. *Episcopal Church Cases*, 198 P.3d 66, 74 (Cal.2009).

The Texas Supreme Court has not expressly approved a particular method to adjudicate church-property disputes, although it has “long recognized a structural restraint on the constitutional power of civil courts to regulate matters of religion in general.” *Westbrook*, 231 S.W.3d at 397-98 (citing *Brown v. Clark*, 116 S.W. 360, 363 (Tex.1909)). In *Brown*, the only church-property dispute it has yet decided, the court was careful to sidestep any issues that fell within the exclusive jurisdiction of the ecclesiastical judicatories, including the case-determinative question of whether the local church possessed the author-

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ity to determine that it could enter into union with the denominational Presbyterian Church. See 116 S.W. at 364. Having deferred to the affirmative answer of the local church's General Assembly on that issue, the court then turned to what was "perhaps the only question in the case of which this court has jurisdiction": how the resulting union between the two churches affected possession and control of the church property. *Id.* The court answered that question by construing the general warranty deed for the property, which was made to the trustees of the local church, while considering the fact that the local church "was but a member of and under the control of the larger and more important Christian organization." *Id.* In light of that union, the court held that the local church had been incorporated into the Presbyterian Church and therefore "those members who recognize the authority of the Presbyterian Church in the United States of America are entitled to possession and use of the property." *Id.*

As the Former Parish Leaders correctly point out, the analysis that the court conducted in *Brown* is consistent with the neutral-principles approach. That does not mean, however, that a Texas court is required to follow the same approach. Because the trial court was not required to adopt any particular approach in resolving the instant dispute, see Wolf, 443 U.S. at 602, we overrule the Former Parish Leaders' first issue asserting that the trial court erred by failing to apply neutral principles of law.<sup>FN5</sup>

<sup>FN5.</sup> In support of their first issue, the Former Parish Leaders make a number of assertions that they label as sub-issues, including "Texas District Courts have subject matter jurisdiction to apply 'neutral principles' of law" and "application of 'neutral-principles' [sic] to determine property disputes is not restricted to congregational churches." Because these statements concern matters that are not in dispute, we need not address them.

\*7 In their second issue, the Former Parish Leaders complain that the trial court "erred in granting summary judgment that deferred the dispute to a ruling by the Bishop." They argue that this is error because the Episcopal Church lacks the necessary tribunals and rules to (1) adjudicate the property dispute, (2) remove the vestry of Good Shepherd, or (3) exclude people from membership in Good Shepherd.

The deference that the trial court allegedly afforded the Diocese would only be appropriate, they assert, if the record conclusively established that the Episcopal Church is a "hierarchical" organization that had established the necessary institutions to govern disputes over the government and direction of subordinate bodies. See Milivojevic, 426 U.S. at 724. According to the Former Parish Leaders, the record actually supports the conclusion that Good Shepherd is an independent organization free from control by the Episcopal Church hierarchy, and that the only decisions entitled to any deference are those made by a majority of its membership to disaffiliate from the Diocese and the Episcopal Church. Before addressing the merits of these arguments, we will first examine the context from which they arise.

#### *Hierarchical and Congregational Churches*

In discussing the proper role for civil courts to play in adjudicating these cases, the United States Supreme Court has analyzed two different scenarios that predominate in church-property disputes. The first involves property held by a "religious congregation which is itself part of a large and general organization of some religious denomination, with which it is more or less intimately connected by religious views and ecclesiastical government." See Watson, 80 U.S. at 726. Such bodies are referred to as "hierarchical" churches. Kedroff, 344 U.S. at 110 (defining "hierarchical churches" as "those organized as a body with other churches having similar faith and doctrine with a common ruling convocation or ecclesiastical head"). In those cases, "we are bound to look at the fact that the local congregation is itself but a member of a much larger and more important religious organization, and is under its government and control, and is bound by its orders and judgments." Watson, 80 U.S. at 726-27. "The second is when the property is held by a religious congregation which, by the nature of its organization, is strictly independent of other ecclesiastical associations, and so far as church government is concerned, owes no fealty or obligation to any higher authority." *Id.* at 722. These are classified as "congregational churches," and, being independent and self-governing, are analyzed in accordance with "the ordinary principles which govern voluntary associations." See *id.* at 724-25.

Under the rule announced in *Watson*, the distinction between the two church classifications is important when courts must identify the entity to which it

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shall defer on matters protected from judicial scrutiny. When a dispute arises in a hierarchical church, the authority entitled to deference on ecclesiastical matters is “the highest of the[ ] church judicatories to which the matter has been carried.” *See id.* at 727. If, however, a dispute arises in a congregational church, the “principle of government” adopted by the church dictates who can determine the right of control—e.g., “[i]f the principle of government in such cases is that the majority rules, then the numerical majority of members must control the right to the use of the property.” *Id.* at 725. Or, if a congregational church vests power in a governing board or vestry, “then those who adhere to the acknowledged organism by which the body is governed are entitled to use of the property.” *Id.*

\*8 A court applying the *Watson* rule of “compulsory deference” need only consider which type of organizational model a church conforms to; once that decision is made, the court defers to, and thereby enforces, the decision of the proper ecclesiastical authority. By arguing that the trial court was required to give effect to the majority's vote to withdraw Good Shepherd from the Episcopal Church and the Diocese and to reorganize as the Good Shepherd Anglican Church, the Former Parish Leaders are implicitly invoking the deference rule in combination with the assertion that Good Shepherd is a congregational church under the sole control of a majority of its members. Thus, by complaining that the trial court erred in paying deference to the Diocese and Bishop Ohl's determination that the faction aligned with the Former Parish Leaders does not, in fact, represent Good Shepherd, they are really arguing that the court misapplied the deference rule by characterizing Good Shepherd as a hierarchical church rather than a congregational one. In response, the Diocese and Continuing Parish Leaders argue that the trial court correctly determined that the Episcopal Church is hierarchical and that the parishes within the hierarchy, including Good Shepherd, are subject to governance by the ecclesiastical head of the general church.

Several factors are to be weighed in determining whether a church is hierarchical, including (1) the affiliation of the local church with a parent church, (2) an ascending order of ecclesiastical judicatories in which the government of the local church is subject to review and control by higher authorities, (3) subjugation of the local church to the jurisdiction of a

parent church or to a constitution and canons promulgated by the parent church, (4) a charter from the parent church governing the affairs of the local church and specifying ownership of local church property, (5) the repository of legal title, and (6) the licensing or ordination of local ministers by the parent church. *Templo Ebenezer, Inc. v. Evangelical Assemblies, Inc.*, 752 S.W.2d 197, 198-99 (Tex.App.-Amarillo 1988, no writ); see *Schismatic & Purported Casa Linda Presbyterian Church*, 710 S.W.2d at 702; *Browning v. Burton*, 273 S.W.2d 131, 133-34 (Tex.Civ.App.-Austin 1954, writ ref'd n.r.e.).

In the present case, the summary-judgment record establishes conclusively that the Episcopal Church is hierarchical and that Good Shepherd is, in accordance with its bylaws and other governing documents, a constituent part of the Episcopal Church and the Diocese.<sup>FN6</sup> Accordingly, the *Watson* rule would require that the trial court and this Court defer to ecclesiastical decisions made within the Episcopal Church hierarchy that bear on the property-ownership dispute, rather than be bound by the views of the defecting parishioners, notwithstanding that they constituted a majority of the members of the parish. *See Milivojevich*, 426 U.S. at 709. Because the trial court did not err in deferring to decisions of the Bishop or the Diocese in light of the hierarchical nature of the Episcopal Church, we overrule the Former Parish Leaders' second issue.

<sup>FN6</sup> Briefly, the summary-judgment record details that the Episcopal Church is made up of nearly 7,700 congregations, primarily parishes, that are organized into 111 regional dioceses. It is governed by a General Convention and a presiding bishop, while each diocese is governed by a diocesan convention and a bishop. The Constitutions and Canons of the Episcopal Church and each diocese are binding on all congregations within the diocese. The Constitution of the Diocese requires all congregations to accede in writing to the rules of the Episcopal Church as a condition of acceptance as a parish of the Diocese. The bylaws and articles of incorporation of Good Shepherd affirm these commitments, establishing that Good Shepherd agreed from its inception to be part of the greater denominational church and to be bound by that church's governing

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instruments. The Former Parish Leaders cite no competent summary-judgment evidence to the contrary, relying instead on statements in one former vestry member's affidavit that "[t]he Episcopal Church does not have control of the local parishes like other hierarchical churches appear to," that "[t]hey [sic] have no power to assume original jurisdiction over Good Shepherd," and that "they [sic] have no power to decide who is a voting member of Good Shepherd." Such statements, however, are legal conclusions that are insufficient to raise a fact issue within the context of a summary-judgment motion. *Anderson v. Snider*, 808 S.W.2d 54, 55 (Tex.1991); *Ellis v. Jansing*, 620 S.W.2d 569, 571 (Tex.1981); *Gaines v. Hamman*, 358 S.W.3d 557, 563 n. 4 (Tex.1962).

\*9 In their third, fourth, and fifth issues, the Former Parish Leaders challenge the trial court's declaration that their actions seeking to withdraw Good Shepherd from the Episcopal Church are void and without effect, its finding that Good Shepherd's property is held in trust for the Episcopal Church and the Diocese, and its alleged failure to give effect to the 1982 deed. Each of these complaints stems from the Former Parish Leaders' initial premise that proper application of the neutral-principles approach would necessarily have resulted in a judgment in their favor. Accordingly, we will address these related points together.

***The Trial Court's Judgment Comports With the Neutral-Principles Approach***

Although the trial court made no findings of fact or conclusions of law that conclusively establish which approach it adopted, it appears that the trial court did apply neutral principles in rendering the judgment under review. The judgment itself indicates that the court considered and interpreted a number of the documents contained in the record, as it would have done if it were employing the neutral-principles approach. Specifically, the trial court's declaration that "all real and personal property of the Good Shepherd is held in trust for the Episcopal Church and the Diocese" is evidence that the trial court looked to the deed conveying the real property to Good Shepherd, the trust provisions contained in the various Canons of the Episcopal Church and the Diocese, and the governing documents of Good Shep-

herd.

On this record, we likewise conclude that neutral principles of law mandate that the Episcopal Church and the Diocese, not the Good Shepherd parish, have control of the property in question. Though the deed to the property is held in Good Shepherd's name, the parish agreed from its inception to be a part of the greater Episcopal Church and to be bound by its governing documents. These governing documents make clear that church property is held in trust for the Episcopal Church and may be subject to Good Shepherd's authority only so long as Good Shepherd remains a part of and subject to the Episcopal Church and its Constitution and Canons.

***Alternatively, the Trial Court Properly Applied Watson Deference***

Viewed differently, this case can be decided not on the basis of neutral principles of real property or trust law, but by deciding which faction represents the divided local parish. There is no question that the "Good Shepherd Episcopal Church" holds record title to the church property. That is the fact on which the Former Parish Leaders rely most heavily in claiming the right to control and use the property for the new Good Shepherd Anglican church. It does not, however, resolve the ownership dispute, as both the Former Parish Leaders and the Continuing Parish Leaders purport to represent "Good Shepherd." And the Former Parish Leaders' contention that the congregation's vote transformed Good Shepherd into an Anglican parish overlooks the fact that Good Shepherd remains an entity that is recognized by the Episcopal Church and that it continues to assert ownership of the church property held in its name.

\*10 Thus, the essence of the dispute before us can be seen as an inherently ecclesiastical question: which parishioners—the loyal Episcopalian minority or the breakaway Anglican majority—represent Good Shepherd, in whose name the disputed property is held? It is not within the jurisdiction of this Court to decide such an issue, which is inextricably linked with matters of church discipline, membership, and faith. Instead, we are bound by the decisions of the highest church judicatories within the Episcopal Church hierarchy to which the matter has been carried. See *Brown*, 116 S.W. at 363 (citing *Watson*, 80 U.S. at 727). Bishop Ohl, who serves as the "chief executive officer" in charge of both "ecclesiastical

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and temporal issues” and who is therefore the highest ecclesiastical authority within the Episcopal Church hierarchy that governs the Diocese, has determined that the Former Parish Leaders are not entitled to consider themselves members of Good Shepherd or to control property held in Good Shepherd's name. See *Patton v. Jones*, 212 S.W.3d 541, 548 (Tex.App.-Austin 2006, pet. denied) (review of ecclesiastical decisions, “particularly those pertaining to the membership [,] are in themselves an ‘extensive inquiry’ into religious law and practice, and therefore, forbidden by the First Amendment” (quoting *Abrams v. Watchtower Bible & Tract Society*, 715 N.E.2d 798, 803 (Ill.App.1999) (emphasis added))). According to Bishop Ohl's affidavit, he has, in his capacity as “Bishop and highest Ecclesiastical authority in the Episcopal Diocese of Northwest Texas, ... recognize[d] the new vestry as the true and proper representatives of the Episcopal Church of the Good Shepherd.” Because we are bound by this pronouncement, we hold that the summary-judgment evidence conclusively establishes that the church property at issue is subject to possession and control by the Continuing Parish Leaders of Good Shepherd and the parishioners aligned with them.<sup>FN7</sup>

<sup>FN7</sup>. We note that this holding is consistent with earlier decisions of this Court and other Texas courts, wherein possession of church property is awarded to the members of a divided hierarchical congregation who remain loyal to the church, while “those members who renounce their allegiance to the church lose any rights in the property involved.” *Green v. Westgate Apostolic Church*, 808 S.W.2d 547, 552 (Tex.App.-Austin 1991, writ denied); see *Brown v. Clark*, 116 S.W.360, 365 (Tex.1909) (property belonged to congregation that remained loyal to merged, general church); *Schismatic & Purported Casa Linda Presbyterian Church v. Grace Union Presbytery, Inc.*, 710 S.W.2d 700, 706-07 (Tex.App.-Dallas 1986, writ ref'd n.r.e.) (Texas law recognizes denominational church's decision that loyal group is true representative of church; therefore, loyal group is entitled to possession and use of all church property); *Browning v. Burton*, 273 S.W.2d 131, 134 (Tex.Civ.App.-Austin 1954, writ ref'd n.r.e.) (“Appellants of course had the right to withdraw from the local church but in so doing they relin-

quished their rights in the abandoned church.”). These courts have viewed the matter as “a simple question of identity” determined by identifying which faction is the successor to the general church as it existed prior to the division. *Presbytery of the Covenant v. First Presbyterian Church*, 552 S.W.2d 865, 871 (Tex.Civ.App.-Texarkana 1977, no writ) (collecting cases). The Former Parish Leaders maintain that the “question of identity rule” is not applicable to this case because the Episcopal Church is not sufficiently hierarchical and lacks the tribunals necessary to decide identity. Having already determined that the record conclusively establishes the hierarchical nature of the Episcopal Church and the Diocese, we reject these arguments.

#### **Partial Conclusion**

As demonstrated by the foregoing, the trial court's judgment can be affirmed whether we decide this appeal by applying neutral principles of law or by deferring resolution of the determinative question of identity to the proper authorities within the Episcopal Church hierarchy. See *Milivojevich*, 426 U.S. at 709; *Westbrook*, 231 S.W.3d at 398. Under either methodology, giving due deference to the Diocese's resolution of the ecclesiastical questions bearing on this appeal, we conclude that when the Former Parish Leaders and the other parishioners aligned with them disaffiliated from the Episcopal Church, the church property remained under the authority and control of the Episcopal Church. Accordingly, the vote to disaffiliate was effective only as to those members who sought to withdraw from the Episcopal Church; it did not have the effect of withdrawing Good Shepherd itself from its union with the Episcopal Church, as the Former Parish Leaders presume.<sup>FN8</sup> Further, having found that the Continuing Parish Leaders are entitled to possession and use of the property, the trial court did not err in declaring that property owned by the local Episcopal parish is held in trust for the Episcopal Church, pursuant to the Episcopal Church Constitution and Canons. We overrule the Former Parish Leaders' third, fourth, and fifth issues.

<sup>FN8</sup>. Contrary to the Former Parish Leaders' assertions, the trial court's judgment imposes no violation of the First Amendment's right of free association. The question to be re-

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solved is not whether the defecting parishioners have a right to withdraw from the Episcopal Church and instead join the Anglican Communion-they clearly do-but whether they can claim title to property belonging to the Good Shepherd parish, which, as the trial court properly determined, they cannot.

***The Former Parish Leaders' Remaining Issues***

\*11 In their sixth issue, the Former Parish Leaders argue that the trial court's judgment declaring that the church property may be used only for the mission of the Episcopal Church violates the First Amendment of the U.S. Constitution by entangling the court in determining the religious question of the mission of the Episcopal Church. Because it is unsupported by any authorities or citations to the record, this issue is waived. See Tex.R.App. P. 38.1(i); *ERI Consulting Eng'rs, Inc. v. Swinnea*, 318 S.W.3d 867, 880 (Tex.2010). Even if it were not, however, the trial court's judgment passes constitutional muster by deferring to ecclesiastical authorities within the Episcopal Church to define the Church's mission. The Former Parish Leaders also contend that the judgment violates the Texas Constitution by ordering that they may not use, divert, or alienate the real property of Good Shepherd, which constitutes a taking of private property. Given both the failure of any governmental appropriation of the property and the fact that the property is owned by Good Shepherd-not the parishioners who disaffiliated from it-this argument lacks merit. We overrule the Former Parish Leaders' sixth issue.

In their seventh issue, the Former Parish Leaders argue that the order granting summary judgment in favor of the Diocese and the Continuing Parish Leaders is defective because it fails to identify the property and awards the property to persons not named as parties to the suit (namely, the vestry of the Episcopal Church of the Good Shepherd). Again, because they have failed to adequately brief this issue by including authorities or citations to the record, it is waived. See *id.* Moreover, there is no serious question that the subject property is sufficiently identified in the Diocese and Continuing Parish Leaders' motion for summary judgment, which was granted in its entirety as to those claims. In addition, because it is not necessary that all members of the current vestry of Good Shepherd be identified, those who are, including the

priest-in-charge and the wardens, can appropriately take possession of the property in accordance with the trial court's order. We overrule the Former Parish Leaders' seventh issue.

**CONCLUSION**

Having overruled the Former Parish Leaders' issues on appeal, we affirm the trial court's judgment.

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# **EXHIBIT B**

**EXHIBIT B**

**EVIDENCE IN SUPPORT OF LOCAL EPISCOPAL PARTIES' AND LOCAL  
EPISCOPAL CONGREGATIONS' SUPPLEMENTAL MOTION  
FOR PARTIAL SUMMARY JUDGMENT**

<b>EXHIBIT A</b>	<b>Affidavit of The Rt. Rev. C. Wallis Ohl (A1-10)</b>
TAB 1	Report of the Resolutions Committee, 27 <sup>th</sup> Annual Convention, November 13-14, 2009 (A11-22)
TAB 2	Letters of Congratulations and Commendation (A23-25)
TAB 3	Notice of Deposition of Priests and Deacons (A26-27)
<b>EXHIBIT B</b>	<b>Affidavit of The Rt. Rev. Edwin F. Gulick (A28-34)</b>
TAB 1	Amended and Restated Articles of Incorporation of Corporation of The Episcopal Diocese of Fort Worth (April 14, 2009) (A35-39)
TAB 2	March 3, 2009 letter to the Hon. William T. McGee, Jr. from Kathleen Wells, Chancellor of The Episcopal Diocese of Fort Worth (A40-41)
<b>EXHIBIT C</b>	<b>Third Affidavit of Robert Bruce Mullin (A42-43)</b>
TAB 1	Statement of Robert Bruce Mullin (A44-113)
<b>EXHIBIT D</b>	<b>Second Affidavit of Mark Duffy (A114-119)</b>
TAB 1	Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Church Publishing Inc., 2009) (A120-293)
TAB 2	Revised Title IV in effect until July 1, 2011 (A294-358)
TAB 3	Excerpts from <u>The Episcopal Church Annual</u> (Morehouse Church Resources, 2010) (A359-366)
TAB 4	1785, 1786, and 1789 Journals of the General Convention, collected in <u>Journals of the General Conventions of the Protestant Episcopal Church in the United States of America, from the Year 1784, to the Year 1814, Inclusive</u> (Philadelphia: John Bioren, 1817) (A367-386)
TAB 5	Excerpts from <i>The Book of Common Prayer</i> (New York: The Church Hymnal Corporation, September 1979) (A387-392)
TAB 6	Excerpts from the 1979 Journal of the General Convention (A393-400)
TAB 7	Excerpts from the 1868 Journal of the General Convention (A401-403)
TAB 8	Excerpts from the 1940 Journal of the General Convention (A404-407)
TAB 9	Excerpts from the 1904 Journal of the General Convention (A408-414)
TAB 10	Deposition of the Right Rev'd Robert W. Duncan dated September 19, 2008 (A415)



TAB 11	Resolution adopted by the Executive Council at its meeting on June 11-14, 2007 (A416)
TAB 12	Excerpts from the 1838 Journal of the General Convention (A417-418)
TAB 13	Excerpts from the 1895 Journal of the General Convention (A419-421)
TAB 14	Excerpts from the 1895 Constitution of the Diocese of Dallas (A422-424)
TAB 15	Excerpts from the 1896 Canons of the Diocese of Dallas (A425-429)
TAB 16	Excerpts from the Minutes of the June 18, 1982, Special Convention of the Diocese of Dallas (A430-432)
TAB 17	Excerpts from the 1982 Journal of the General Convention (A433-435)
TAB 18	Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Seabury Prof'l Servs., 1979) (A436-503)
TAB 19	The Proceedings of the Primary Convention of the Episcopal Diocese of Fort Worth (1982) (A504-525)
TAB 20	Journal of the Eighty-Seventh Annual Meeting of the Diocese of Dallas (1982) (A526-531)
TAB 21	Excerpts from the 1982 Constitution and Canons of the Episcopal Diocese of Fort Worth (A532-539)
TAB 22	Declaration of Conformity executed by the Rt. Rev. A. Donald Davies (A540)
TAB 23	Declaration of Conformity executed by the Rt. Rev. Clarence C. Pope (A541)
TAB 24	Declaration of Conformity executed by the Rt. Rev. Jack Leo Iker (A542)
TAB 25	Excerpts from The Proceedings of the Seventh Annual Convention of the Episcopal Diocese of Fort Worth (Oct. 6-7, 1989) (A543-546)
TAB 26	Excerpts from the Journal of the Special Diocesan Convention (Sep. 27, 2003) (A547-549)
TAB 27	Excerpts from the 1985, 1988, 1991, 1994, 1997, 2000, 2003, and 2006 Journals of the General Convention (A550-573)
TAB 28	Excerpts from the Journal of the Twelfth Annual Meeting of the Diocese of Fort Worth (Oct. 7-8, 1994) (A574-577)
TAB 29	Excerpts from the Journal of the Episcopal Diocese of Fort Worth 2006 (A578-597)
TAB 30	Excerpts from the Journal of the Tenth Annual Meeting of the Diocese of Fort Worth (Oct. 2-3, 1992) (A598-601)
TAB 31	Excerpts from The Order of Service for the Ordination and Consecration of the Reverend Jack Leo Iker to be a Bishop in the Church of God and Bishop Coadjutor of the Diocese of Fort Worth (A602-605)

TAB 32	Excerpts from the Journal of the Thirteenth Annual Meeting of the Diocese of Fort Worth (Nov. 3-4, 1995) (A606-607)
TAB 33	Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker dated December 5, 2008 (A608)
TAB 34	Forms signed by Bishop Edwin F. Gulick (Oct. 15, 2009) and the members of the Standing Committee of the Diocese of Fort Worth (Nov. 12, 2009) consenting to the ordination and consecration of Scott A Benhase as Bishop of the Diocese of Georgia (A609-610)
TAB 35	Excerpts from <u>The Episcopal Church Annual</u> (Morehouse Church Resources, 2009) (A611-614)
TAB 36	Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Church Publishing Inc., 2006) (A615-802)
TAB 37	Excerpts from <u>The Episcopal Church Annual</u> (Morehouse-Barlow Co., 1984) (A803-804)
TAB 38	Excerpts from Proceedings of a Convention of the Clergy and Laity of the Protestant Episcopal Church in the State of Texas, 1849 (A805-808)
TAB 39	Excerpts from the 1850 Journal of the General Convention (A809-821)
TAB 40	Excerpts from the Journal of the Twenty-Fifth Annual Council of the Protestant Episcopal Church in the Diocese of Texas, May 28-30, 1874 (A822-824)
TAB 41	Excerpts from the 1874 Journal of the General Convention (A825-859)
TAB 42	Excerpts from the Journal of the Fourth Annual Convocation of the Protestant Episcopal Church in the Missionary District of Northern Texas, May 30 through June 1, 1878 (A860-863)
<b>EXHIBIT E</b>	<b>Affidavit of Gregory S. Straub (A864-865)</b>
TAB 1	Excerpts from the 2009 Journal of the General Convention (A866-876)
TAB 2	2009 Annual Report of the Episcopal Diocese of Fort Worth (A877-880)
<b>EXHIBIT F</b>	<b>Affidavit of Kathleen Wells (A881-888)</b>
TAB 1	September 8, 2008 Third Report from the Bishop and Standing Committee concerning The Anglican Province of the Southern Cone (A889)
TAB 2	"10 Reasons Why Now Is the Time to Realign", September 2008 (A890-892)
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TAB 4	Proposed Resolution for Admission to the Anglican Province of the Southern Cone (A895)
TAB 5	"As We Realign" (A896-897)
TAB 6	Responses to Attempted Inhibition of the Bishop (A898-899)

TAB 7	Notice of Special Meeting of the Convention of the Episcopal Diocese of Fort Worth, Feb. 7, 2009 (A900)
TAB 8	Certificates of Registration of Diocesan Name and Seal (A901-904)
TAB 9	Documents Showing Use of Diocesan Name and Seal (A905-916)
TAB 10	Excerpts from the Proceedings of the Twenty-Fifth Annual Convention of the Episcopal Diocese of Fort Worth, November 2007 (A917-932)
TAB 11	Excerpts from the Journal of the Twenty-Seventh Annual Convention of the Episcopal Diocese of Fort Worth, November 13-14, 2009 & Special Meeting of Convention, February 7, 2009 (A933-973)
TAB 12	Applicable Canon regarding Corporation of the Episcopal Diocese of Fort Worth (A974-975)
<b>EXHIBIT G</b>	<b>Affidavit of Jonathan Nelson (A976-981)</b>
TAB 1	Plaintiffs' Second Amended Original Petition in <i>Corp. of the Episcopal Diocese of Fort Worth v. McCauley</i> (A982-1001)
TAB 2	Plaintiffs' Motion for Summary Judgment, including Affidavits of Bishop Jack Iker and Reverend Canon Billie Boyd, filed in <i>Corp. of the Episcopal Diocese of Fort Worth v. McCauley</i> (A1002-1033)
TAB 3	Plaintiffs' Second Supplemental Evidence in Support of Their Motion for Summary Judgment, including Affidavits of Reverend Canon Billie Boyd and The Reverend Canon Charles A. Hough, III, filed in <i>Corp. of the Episcopal Diocese of Fort Worth v. McCauley</i> (A1034-1041)
TAB 4	Affidavit of The Rt. Rev. William C. Wantland, filed in <i>Corp. of the Episcopal Diocese of Fort Worth v. McCauley</i> (A1042-1046)
TAB 5	Brief of <i>Amici Curiae</i> Rt. Rev. Jack Leo Iker, Bishop of the Episcopal Diocese of Fort Worth, and Rt. Rev. Robert Duncan, Bishop of the Episcopal Diocese of Pittsburgh, filed in <i>Dixon v. Edwards</i> (A1047-1073)
TAB 6	Petition in <i>The Episcopal Diocese of Dallas v. Mattox</i> , No. 84-8573 (95 <sup>th</sup> District Court Dallas) (A1074-1138)
TAB 7	Judgment in <i>The Episcopal Diocese of Dallas v. Mattox</i> (A1139-1206)
TAB 8	Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (Filed February 28, 1983) (A1209-1212)
TAB 9	Articles of Amendment to the Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (Filed November 4, 1987) (A1213-1214)
TAB 10	Articles of Amendment to the Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (Filed November 27, 1991) (A1215-1221)
TAB 11	Amended and Restated Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (Filed September 5, 2006) (A1222-1225)

TAB 12	Amended and Restated Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (Filed April 14, 2009) (A1226-1230)
TAB 13	Certificate of Correction to Amended and Restated Articles of Incorporation of Corporation of the Episcopal Diocese of Fort Worth (filed April 21, 2009) (A1231-1236)
<b>EXHIBIT H</b>	<b>Affidavit of The Rev. Canon Charles K. Robertson (A1237-1238)</b>
TAB 1	Letter to The Most Rev'd Katharine Jefferts Schori from the Rt. Rev'd Dorsey F. Henderson, Jr. dated January 9, 2008, and regarding the Rt. Rev'd John-David Schofield (with attachment) (A1239-1248)
TAB 2	Deposition of the Right Rev'd John-David M. Schofield dated March 12, 2008 (A1249)
TAB 3	Letter to The Most Rev'd Katharine Jefferts Schori from the Rt. Rev'd Dorsey F. Henderson, Jr. dated December 17, 2007, and regarding the Rt. Rev'd Robert W. Duncan (with attachment) (A1250-1261)
TAB 4	Forms signed by Bishop Wallis C. Ohl (June 14, 2010 & July 17, 2010) consenting to the ordination and consecration of bishops (A1262)
TAB 5	Letter to six former members of the Standing Committee of the Diocese of Fort Worth from The Most Rev'd Katharine Jefferts Schori dated December 15, 2008 (A1263-1264)
<b>EXHIBIT I</b>	<b>Supplemental Affidavit of Mark Duffy (A1265-1266)</b>
TAB 1	Excerpts from the 1979 Journal of the General Convention (A1267-1269)
<b>EXHIBIT J</b>	<b>Second Supplemental Affidavit of Mark Duffy (A1270-1271)</b>
TAB 1	1982 Resolution Number 1982-A010 to Amend Constitution Article V.1 (A1272)
TAB 2	1982 Resolution Number 1982-B018 to Ratify the Division of the Diocese of Dallas Into Two Jurisdictions (A1273)
<b>EXHIBIT K</b>	<b>November 29, 2010 Supplemental Affidavit of Kathleen Wells (A1274-1275)</b>
TAB 1	2010 Constitution and Canons of the Episcopal Diocese of Fort Worth (A1276-1284)
<b>EXHIBIT L</b>	<b>January 5, 2011 Affidavit of The Rt. Rev. C. Wallis Ohl (A1285-1288)</b>
TAB 1	Excerpts from The Directory of the Episcopal Diocese of Fort Worth (REDACTED) (A1289-1302)
TAB 2	Notice of Deposition of Priests and Deacons (A1303-1304)
TAB 3	Notices of Inhibition (A1305-1306)
<b>EXHIBIT M</b>	<b>January 4, 2011 Affidavit of Cherie Shipp (A1307-1308)</b>
TAB 1	Amended & Restated Bylaws of the Corporation of the Episcopal Diocese of Fort Worth (A1309-15)

<b>EXHIBIT N</b>	<b>Intervening Congregations' Supplemental Response to Requests for Disclosure (A1316-1342)</b>
<b>EXHIBIT O</b>	<b>Certified Copies of Deeds to Local Church Property</b>
TAB 1	Deed for Camp Crucis Property to Charles Avery Mason, as Bishop of the Protestant Episcopal Church, for the Diocese of Dallas (A1343-45)
TAB 2	Deed for Camp Crucis Property to A. Donald Davies, Bishop of the Diocese of Dallas of the Episcopal Church in the United States of America (A1346-48)
TAB 3	Deed for Alameda St. Property to All Saints Episcopal School (A1349-58)
TAB 4	Deed for Alameda St. Property to Episcopal Diocese of Fort Worth (A1359-65)
TAB 5	Deed for Alameda St. Property from Diocese to Corporation (A1366-72)
TAB 6	Deed for St. Mary's Property to Alexander C. Garrett, as Bishop of the Protestant Episcopal Church, for the Missionary District of Northern Texas (A1373-77)
<b>EXHIBIT P</b>	<b>March 21, 2011 Affidavit of C. Wallis Ohl (A1378-1388)</b>
TAB 1	List and Status of Congregations of the Episcopal Diocese of Fort Worth (A1389-1390)
TAB 2	Pastoral Letter to The Episcopal Diocese of Fort Worth (A1390.1-1390.2)
<b>EXHIBIT Q</b>	<b>Affidavit of Constant Roberts Marks IV for St. Alban's Episcopal Church (Arlington) (A1391-1394)</b>
<b>EXHIBIT R</b>	<b>Affidavit of Sandra Shockley for St. Mary's Episcopal Church (Hamilton) (A1395-1398)</b>
<b>EXHIBIT S</b>	<b>Affidavit of Owanah Anderson for All Saints' Episcopal Church (Wichita Falls) (A1399-1402)</b>
<b>EXHIBIT T</b>	<b>Affidavit of Phil McClendon for All Saints' Episcopal Church (Weatherford) (A1403-1406)</b>
<b>EXHIBIT U</b>	<b>Affidavit of Janice Shattman for Christ the King Episcopal Church (Fort Worth) (A1407-1412)</b>
TAB 13	Google Search Results for "Christ the King Episcopal Church Fort Worth" (A1413-1414)
<b>EXHIBIT V</b>	<b>Affidavit of Ian Moore for Episcopal Church of the Good Shepherd (Granbury) (A1415-1419)</b>
<b>EXHIBIT W</b>	<b>Affidavit of David Skelton, M.D. for St. Mary's Episcopal Church (Hillsboro) (A1420-1423.1)</b>
<b>EXHIBIT X</b>	<b>Affidavit of Ken Hood for St. Stephen's Episcopal Church (Hurst) (A1424-1427)</b>
<b>EXHIBIT Y</b>	<b>Affidavit of Ann B. Coleman for Episcopal Church of the Good Shepherd (Wichita Falls) (A1428-1431)</b>

<b>EXHIBIT Z</b>	<b>Affidavit of Linda Johnson for St. Anne's Episcopal Church (Fort Worth) (A1432-1435)</b>
<b>EXHIBIT AA</b>	<b>Affidavit of Kyle D. Young (A1436-1437.3)</b>
TAB 1	Certified copy of Deed of Trust to Jude Funding, Inc. (A1438-1454)
TAB 2	Certified copy of St. Barnabas Deed of Trust (A1455-1465)
TAB 3	Certified copies of St. Alban's Deeds of Trust (A1466-1501)
TAB 4	Certified copies of Oil and Gas Leases (A1502-1525)
TAB 5	Copies of Oil and Gas Leases produced by Defendants (A1526-1541)
TAB 6	Deed Records for Episcopal Property produced by Defendants (A1542-2134)
TAB 7	Additional Deed Records for Episcopal Property (A2135-2196)
TAB 8	Local Episcopal Parties' First Set of Interrogatories to Defendants, First Requests for Production of Documents, and Exhibits (A2197-2229)
TAB 9	Defendants' Response to Local Episcopal Parties' First Set of Interrogatories (A2230-2237)
TAB 10	Documents naming Diocesan Funds, as produced by Defendants (A2238-2258)
TAB 11	Account statements and Summaries of Accounts, as produced by Defendants (A2259-2278)
TAB 12	Plaintiff the Rt. Rev. C. Wallis Ohl's First Request for Production of Documents to Southern Cone Congregations (A2279-2283)
TAB 13	Report from the meeting of ACNA Chancellors (A2284)
<b>EXHIBIT BB</b>	<b>Affidavit of John H. Meeks for St. Simon of Cyrene Episcopal Church (Fort Worth) (A2285-2287)</b>
<b>EXHIBIT CC</b>	<b>September 8, 2009 Affidavit of The Rt. Rev. Edwin F. Gulick, Jr. (A2288-2291)</b>
<b>EXHIBIT DD</b>	<b>Affidavit of The Rev. Dr. Marion Roy ("Sam") McClain (A2292-2294)</b>
Tab 1	1983 Newsletter Article, "Diocesan Seal Rich in Heritage" (A2295)
Tab 2	Excerpts from The Episcopal Church Annual (1984) (A2296-2297)
Tab 3	Cover Pages from Diocesan Journals for 1990, 2003-2006 (A2298-2301)
<b>EXHIBIT EE</b>	<b>Affidavit of The Rt. Rev. Edwin F. Gulick, Jr. (A2302-2303)</b>
<b>EXHIBIT FF</b>	<b>Affidavit of Kathleen Wells (A2304-2305)</b>
Tab 1	Letter from Geoffrey Mantooth (A2306-2309)
Tab 2	Excerpts from Iker's Website (A2310-2322)
Tab 3	Online Search Results (A2323-2325)
<b>EXHIBIT GG</b>	<b>Affidavit of Elinor Normand (A2326-2328)</b>

Tab 1	November 1, 2010 Email (redacted) (A2329)
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# **SCHEDULE A**



**SCHEDULE A**

**REAL PROPERTY:**

<b><u>For the use of:</u></b>	<b><u>Property Description</u></b>	<b><u>Source</u></b>	<b><u>Appx Pages</u></b>
<b>All Saints' (Fort Worth)</b>	<b><u>TRACT A:</u></b>  Lots 1 and 2, Block 26, CHAMBERLIN ARLINGTON HEIGHTS FIRST FILING ADDITION to the City of Fort Worth, Tarrant County, Texas according to plat recorded in Volume 63, Page 21, Deed Records, Tarrant County, Texas.	SC 3407-3410	A1736-39
	<b><u>TRACT B:</u></b>  THE WEST 90 FEET OF LOT A, BLOCK 25, CHAMBERLIN ARLINGTON HEIGHTS, FIRST FILING, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1348, PAGE 305, DEED RECORDS, TARRANT COUNTY, TEXAS.	SC 3400-3402	A1740-42
	<b><u>TRACT C:</u></b>  The South 122 feet of Lots 21, 22, and 23 and the South 122 feet of the West 15 feet of Lot 24, all in Block 15, of CHAMBERLIN ARLINGTON HEIGHTS, FIRST FILING, an Addition to City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 63, Page 21, Deed Records of Tarrant County, Texas.	SC 3383-3386	A1743-45
	<b><u>TRACT D:</u></b>  All of Block 14, Chamberlin Arlington Heights First filing, an addition to the City of Fort Worth, Tarrant County, Texas.	SC 3411-3414	A1542-45
	<b><u>TRACT E:</u></b>  Lot 3-R, Bock 26, Chamberlin Arlington Heights, and Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat recorded in Cabinet B, Slide 672, Plat Records, Tarrant County, Texas.	SC 3403-3405	A1907-09

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p><u>TRACT F:</u></p> <p>LOTS 5A, 6, 7, 8, AND 9A, BLOCK 26, CHAMBERLIN ARLINGTON HEIGHTS FIRST FILING, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, commonly known as 5003 Dexter Ave., Fort Worth, Texas 76107.</p>	EX A2	A2226
<p><b>All Saints' (Weatherford)</b></p>	<p><u>TRACT A:</u></p> <p>All that certain lot, tract or parcel of land lying and being situated in Parker County, Texas and being a part of Lot 4, Block No. 8, of the Original Town of Weatherford, in Parker County, Texas, described by metes and bounds as follows:</p> <p>BEGINNING at the Southwest corner of a lot heretofore said Minnie Messer by Charley Cockran, et al, dated 16<sup>th</sup> day of August, A.D., 1940, recorded in Volume 176, Page 46, Deed Records, Parker County, Texas, which are here referred to and made a part hereof, said beginning point on the North Boundary Line of West Oak Street;</p> <p>THENCE West with the North Boundary Line of West Oak Street, 55 feet 9 inches a corner in the center of the driveway;</p> <p>THENCE North to the center of a garage and through the center of same, 75 feet to a corner;</p> <p>THENCE East 55 feet 9 inches to a corner;</p> <p>THENCE South 75 feet to the North Boundary Line of West Oak Street to a corner, same being the Place of Beginning.</p> <p>Being the same property described in a Deed dated January 5, 1946, from Minnie Messer, a widow to Mary L. Woolsey, of record in Volume 203, Page 348, Deed Records, Parker County, Texas</p>	SC 3739-3745; 3196-3197	A1910-12; A1746-47
	<p><u>TRACT B:</u></p> <p>All that certain lot, tract or parcel of land lying and being situated in Parker County, Texas, and being a part of Lot No. 4, in Block No. 8, of the Original Town of Weatherford, Parker County, Texas, described by metes and bounds as follows:</p> <p>BEGINNING at the Southwest corner of said Lot No. 4, in Block No. 8, which said point is at the confluence of</p>	SC 3192-3195	A1748-51

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>the East boundary line of South Waco Street, and the North boundary line of West Oak Street; THENCE East with the South boundary line of said Lot No.4, Block No. 8, and the North boundary line of West Oak Street 69 feet 3 inches, to a point for corner in the center of an automobile driveway; THENCE North to the center of a garage and through the center of same 75 feet to a point for corner; THENCE West 69 feet 3 inches to a point for corner in the East boundary line of South Waco Street; THENCE South 75 feet to the North boundary line of West Oak Street, the same being the Place of Beginning.</p>		
	<p><u>TRACT C:</u> The West 65 feet of the South ½ of Lot 4, Block 8, Original Town of Weatherford, Parker County, Texas, commonly known as 133 S. Waco, Weatherford, Texas.</p>	EX A2	A2224
<p><b>All Saints' (Wichita Falls)</b></p>	<p><u>TRACT A:</u> All that certain lot, tract or parcel of land lying and being situated in Wichita County, Texas, being a 6.0 acre tract of land out of Block No. 2 of the Irrigation Subdivision of John A. Scott Survey No. 7, Abstract No. 297, and the O.H.P. Davis Survey, Abstract No. 65, Wichita County, Texas, and described by metes and bounds as follows: Beginning at a point on the North right-of-way line of Farm-Market Highway No. 369 where the same intersects the West right-of-way line of the City Aquaduct for the Southeast corner of this tract, said point being 60.0 feet at right angles from the center line of said Highway and 25.0 feet at right angles from the center line of said Aquaduct, and from which point the Northwest corner of John A. Scott Survey No. 7 bears N 82° 43' W 3581.0 feet; THENCE in a Westerly direction with the North right-of-way line of Farm-Market Highway No. 369 and 60.0 feet at right angles from the center line of said Highway following a curve to the left with a radius of 5790.0 feet for a distance of 500.0 feet to a ½ inch iron rod for the Southwest corner of this tract; THENCE N 00° 27' E perpendicular to the tangent of said Highway, at 375.2 feet cross the North line of the John A. Scott Survey No. 7 and the South line of the O.H.P. Davis Survey at a point 3060.1 feet S 89° 42' E</p>	SC 0262-0263	A1546-47

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>from the Northwest corner of said Scott Survey and the Southwest corner of said Davis Survey and being also 384.5 feet S 89° 42' E from the Northwest corner of Block No. 2 of the Irrigation Subdivision of John A. Scott Survey No. 7; and continuing on the same course, in all, 417.6 feet to a ½ inch iron rod for the Northwest corner of this tract; THENCE S 89° 33' E Parallel with the tangent of said Highway 669.9 feet to a ½ inch iron rod in the West right-of-way line of the City Aquaduct and 25.0 feet at right angles from the center line of said Aquaduct for the Northeast corner of this tract; THENCE S 20° 28' W with the West right-of-way line of the City Aquaduct and 25.0 feet at right angles from the center line of said Aquaduct, at 43.3 feet cross the South line of the O.H.P. Davis Survey and the North line of the John A. Scott Survey No. 7, and continuing on the same course with the West right-of-way line of said Aquaduct, in all, 507.3 feet to the place of beginning, and containing 6.0 acres of land, being 5.37 acres out of Block No. 2 of the Irrigation Subdivision of the John A. Scott Survey No. 7 and the 0.63 acres out of the O.H.P. Davis Survey.</p>		
<p><b>Ascension &amp; St. Mark (Bridgeport)</b></p>	<p><u>TRACT A:</u></p> <p>All that certain tract or parcel of land out of the JOHN DILLINGHAM SURVEY, Abstract No. 241, Wise County, Texas, being part of a called 92 acre tract as deeded from R. H. Jones and wife, Gladys A. Jones to Robert C. Beaman and Lola Beaman in Volume 183, Page 262, Deed Records, Wise County, Texas, described to wit:</p> <p>BEGINNING at an iron stake set for corner in the John Dillingham Survey, Abstract No. 241, being out of a called 92 acre tract as deeded to Robert C. Beaman and Lola Beaman in Volume 183, Page 262, Deed Records, Wise County, Texas, said point being in the South right of way of U.S. Highway No. 380 (formerly State Highway No. 24), said point being located 63.63 feet South 49° 48' East, 1935. 47 feet North 79° 43' East, 8.0 feet North 10° 17' West, and 189.4 feet North 79° 43' East from the East right of way of F.M. Highway No. 1655 (formerly F.M. Highway No. 1810); THENCE North 02° 20' East 814.31 feet to an iron stake set for</p>	<p>SC 2885- 2889</p>	<p>A1920- 24</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>corner in the North line of said called 92 acre tract; THENCE with the North line of said called 92 acre tract and along a general fence line, North 88° 58' 50" East 568.6 feet to an iron fence post for corner; THENCE along a general fence line, South 02° 20' West 720.51 feet to an iron stake set for corner in the South right of way of U.S. Highway No. 380; THENCE with the South right of way of U.S. Highway No. 380, South 79° 43' West 581.67 feet to the point of beginning, containing 10.00 acres of land, more or less.</p>		
<p><b>Camp Crucis</b></p>	<p><u>TRACT A:</u></p> <p>BEING a tract of land out of the MOSES OLDHAM SURVEY, Abstract No. 431, Hood County, Texas; and being described by metes and bounds as follows:  COMMENCING at an iron pin in the common line between said Oldham Survey and the Robert Alway Survey, in the west line of the G.A. Jones tract, said iron pin being about 3400 varas S 60° 00' W from the northeast corner of said Robert Alway Survey;  THENCE S 66° 44' W, along a fence and the common Survey Line 1,103.0 feet to a large cedar post in the north line of a County Road (the Old Granbury Lipan Road);  THENCE, continuing along a fence and the common Survey Line and along the north line of said Road, S 70° 35' W 362.6 feet to an iron, S 69° 10' W 566.1 feet to an iron, S 67° 29' W 592.8 feet to an 8" elm tree and S 67° 41' W 691.6 feet to a twin post oak tree and S 77° 44' W 15.3 feet to the POINT OF BEGINNING of the herein described tract;  THENCE, along said fence, S 77° 44' W, at 274.7 feet the end of said Road, in all 384.4 feet to an iron pin for corner;  THENCE N 63° 39' W, along a fence 74.9 feet to an iron pin;  THENCE N 40° 08' W, along a fence 305.5 feet to a 18" elm tree;  THENCE N 11° 05' E, along a fence 87.5 feet to an iron pin at fence corner;  THENCE N 25° 18' W 116.3 feet to an iron pin for corner in the centerline of Strouds creek;  THENCE along the centerline of Strouds Creek, N 73°</p>	<p>SC 3440-3442</p>	<p>A1548-58.2</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>43° E 325.3 feet and N 32° 25' E 192.0 feet to a point for corner;            THENCE, with the east line of a 25 feet wide roadway easement, S 22° 19' E a distance of 678.9 feet to the POINT OF BEGINNING and containing 6.0 acres of land.            SAVE &amp; EXCEPT, there is hereby reserved unto the Grantors, their heirs and assigns, an easement for purposes of ingress and egress over and across the east 25' of the herein described property.</p>		
	<p><u>TRACT B:</u></p> <p>All that certain tract, piece or parcel of land situate, lying and being in the County of Hood, State of Texas, and more particularly described as follows, to-wit:</p> <p>FIRST TRACT: Being a part of the Robert Alway Survey, Patent No. 206, Vol. 13, dated March 28, 1856, Abstract: No. 4, described as follows: Beginning at a stump on the N.R. line of said survey, 200 vrs. N. 60 W. from Strouds Creek, a L.O. marked X brs. 63-1/2 W. 25-3/5 vrs; Thence S. 60 W. 700 vrs. to a rock in the bed of Strouds Creek near the West bank for corner; a Spanish oak brs. S. 60 W. 8½ vrs; the same being the N. W. corner of said Alway Survey; Thence down said creek with its meanders as follows: S. 42 E. 105; S. 53 E. 168 vrs; S. 73 E. 86 vrs. to rock in the South bank of said creek for the S.W. corner of this tract, a walnut tree brs. N. 38 E. 62 vrs. marked X; Thence N. 60 E. 645 vrs. to the place of beginning, containing 20.50 acres of land, more or less;</p> <p>SECOND TRACT: Being a part of the Moses Oldham Survey, beginning at the N.E. Corner of the above described tract; Thence S. 60 W. 218 vrs. to stake in the center of Strouds Creek; Thence down said creek N. 9 1/2 W. 208 vrs. N. 20 E. 55 vrs. to road; Thence with said road S. 24 E. 100 vrs. S. 70 E. 75 vrs; S. 78 E. 88 vrs. to the place of beginning, containing 3.59 acres of land, more or less.</p> <p>THIRD TRACT: Being a part of the Robert Alway survey patented to the Heirs of Robert Alway, Patent No.</p>	<p>SC 3443-3447            (LEP 00065-00069)</p>	<p>A1549-53</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>206 Vol. 13, Cert. No. 114, described as follows: Beginning at the N.E. corner of the E.M. Dabney lands on the N. B. line of said survey, the same being N. 60 E. 930 vrs. from the N.W. corner of said survey; Thence S. 30E.820 vrs. to a stone for the S.E. corner of this tract in the North line of Milan County School Lands; Thence S. 60 W. 930 vrs. to the S.E. corner of the S. Watkins Survey; Thence N. 30 W. 440 vrs. to a corner on bank of a ravine; Thence down said ravine N. 83 E. 82 vrs; N. 37 E. 48 vrs; N. 14 W. 117 vrs. a rock in the south bank of the Strouds Creek, the same being the S.W. corner of the Y.M.C.A. tract; Thence N. 30 E. 645 vrs. to the N.E. corner of the Y.M.C.A. tract on the N. line of the Alway Survey; Thence N. 60 E. 202 vrs. to the place of beginning, containing 109.80 acres of land, more or less.</p> <p>SAVE AND EXCEPT a tract of land situated in the Robert Alway Survey, Abstract No. 4 and the Moses Oldham Survey, Abstract No. 431, Hood County, Texas and being shown on a sketch by Brooks Baker Surveyors and more particularly being described by metes and bounds as follows;</p> <p>BEGINNING at one (1) inch iron rod found for a Southeast corner of the herein described tract and a point on the North line of a tract of land described in a deed to Charles Avery Mason, as Bishop of the Protestant Episcopal Church, for the diocese of Dallas recorded in Volume 95, Page 503, Deed Records, of said county;</p> <p>THENCE along the common line of said herein described tract and said Church tract, the following bearings and distances; South 65 degrees 14 minutes 12 seconds West, a distance of 90.26 feet to an angle point; South 66 degrees 20 minutes 16 seconds West, a distance of 20.00 feet to an angle point; South 63 degrees 28 minutes 00 seconds West, a distance of 29.67 feet to an angle point; South 62 degrees 23 minutes 37 seconds West, a distance of 80.06 feet to an angle point; South 62 degrees 20 minutes 31 seconds West, a distance of 50.17 feet to an angle point; South 63 degrees 26 minutes 12 seconds West, a distance of 51.53 feet to an angle point; South 64 degrees 09 minutes 38 seconds West, a distance of 50.80 feet to an angle point; South 65 degrees 34 minutes 29 seconds West, a distance of 70.52 feet to an angle point; South 65 degrees 40 minutes 32 seconds</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>West, a distance of 140.83 feet to an angle point; South 62 degrees 12 minutes 57 seconds West, a distance of 22.95 feet to a point of tangent to a curve to the right whose arc length is 285.68 feet, and whose radius 60.00 feet, and whose chord bears North 18 degrees 36 minutes 57 seconds East, with a length of 82.75 feet;  THENCE North 74 degrees 16 minutes 25 seconds East, a distance of 128.60 feet, to an angle point;  THENCE North 67 degrees 54 minutes 09 seconds East, a distance of 38.68 feet to a 5/8 inch iron rod found for a point for corner;  THENCE South 26 degrees 53 minutes 13 seconds East, a distance of 20.54 feet;  THENCE North 63 degrees 23 minutes 03 seconds East, a distance of 382.93 feet;  THENCE South 26 degrees 20 minutes 17 seconds East, a distance of 20.69 feet to the POINT OF BEGINNING containing a total area of 26,873 Square Feet or 0.617 Acres of Land.</p>		
	<p><u>TRACT C:</u></p> <p>A 5.32 acre tract of land situated in the Robert Always Survey, Abstract No. 4, Hood County, Texas and commonly known as Camp Crucis, 2100 Loop 567, Granbury, Texas.</p>	EX A2	A2216
	<p><u>TRACT D:</u></p> <p>A 154.383 acre tract of land situated in the Robert Always Survey, Abstract No. 4, Hood County, Texas and commonly known as Camp Crucis, 2100 Loop 567, Granbury, Texas.</p>	EX A2	A2216
<b>Christ The King (Fort Worth)</b>	<p><u>TRACT A:</u></p> <p>Lots 10 and 11, Block 16, Z. BOAZ COUNTRY PLACE ADDITION to the City of Fort Worth, Tarrant County, Texas, according to the plat filed in Block 204, page 93, Deed Records of Tarrant County, Texas.  SAVE AND EXCEPT a parcel of land out of Lots 10 and 11, Block 16, Z. Boaz Country Place Addition, according to plat recorded in Volume 204, Page 93, Plat Records, Tarrant County, Texas, more particularly</p>	SC 3654-3655	A1554-55



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>described using the Texas Coordinate System, North Central Zone, coordinates and bearings as follows:            BEGINNING at a 1/2" iron pipe at the southeast corner of Lot 11, the coordinates of said point are X = 2,020,142.59, Y = 384, 686.62;            THENCE: North 89 degrees 32 minutes 07 seconds West along the south line of Lot 11, 10.95 feet to a point;            THENCE: North 44 degrees 57 minutes 13 seconds East 14.01 feet to a point;            THENCE: North no degrees 33 minutes 27 seconds West 190.04 feet to a point in the north line of Lot 10;            THENCE: South 89 degrees 32 minutes 07 seconds East along the North line of Lot 10, 4.49 feet to the northeast corner of Lot 10;            THENCE: South no degrees 27 minutes 23 seconds West along the East line of Lots 10 and 11, 200.0 feet to the place of beginning and containing 594.0 square feet of land, more or less.</p>		
	<p><u>TRACT B:</u>             Lot 1, Block 17, Z. Boaz Country Place Addition, Fort Worth, Tarrant County, Texas, commonly known as 3300 Lackland Rd., Fort Worth, Texas 76116.</p>	EX A2	A2216
<p><b>Church of the Holy Apostles (Fort Worth)</b></p>	<p><u>TRACT A:</u>             Being a tract of land situated in the Nancy Casteel Survey, Abstract #349 in the City of Fort Worth, Tarrant County, Texas, and being known as Lot 6, Block 1, of Wildwood Acres, an unrecorded plat of tracts in said survey, also being a portion of Blocks 1 and 2, Kin Acres, an Addition to the City of Fort Worth as recorded in Volume 388-5, page 79, Deed Records, Tarrant County, Texas, and being further described by metes and bounds as follows:            BEGINNING at a 1/2" iron pin located at the southeast corner of Lot 4, Block 1, Wildwood Acres Addition to the City of Fort Worth, as recorded in Volume 388-93, page 46, Deed Records, Tarrant County, Texas, said point also being in the northerly boundary line of a Easement for Natural Drainage of Mary's Creek, per said unrecorded plat;            THENCE North 28° - 42' East along the easterly</p>	SC 3641-3645	A1925-29

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>boundary line of said Lot 4, a distance of 304.7 feet to a 1/2" iron pin in the west boundary line of Block 1, of said Kin Acres Addition;</p> <p>THENCE North 03° - 18' West continuing with said easterly boundary line, 40.0 feet to a 1/2" iron pin located at the southwest corner of Lot 5-A of said unrecorded plat;</p> <p>THENCE North 85° - 14" East 183.05 feet to a 1/2" iron pin at the southeast corner of said Lot 5-A;</p> <p>THENCE North 04° - 48' West 300.0 feet to a 1/2" iron pin in the south right-of-way line of Shade Lane, also known as County Road #1030, said point also being the most northerly northwest corner of said Lot 6, and being in the north boundary line of said Kid Acres;</p> <p>THENCE North 85° - 12' East with said south right-of-way line and with said north boundary line, 300.0 feet to a 3/4" iron pin in the westerly right-of-way line of F. M. Highway #287, a public right-of-way of 160 feet in width;</p> <p>THENCE Southwesterly with said right-of-way line and with a curve to the right, whose radius length equals 1830.08 feet, a total arc distance of 649.79 feet (Long Chord South 26° - 14" West 646.38 feet) to a 3/4" iron pin at the end of said curve;</p> <p>THENCE South 36° - 10' West continuing with said right-of-way line, 146.6 feet to a 1/2" iron pin in said northerly boundary line of Mary's Creek Drainage Easement, said point also being the southeast corner of said Lot 6;</p> <p>THENCE North 63° - 08' West with said northerly easement line, 100.3 feet to a 1/2" iron pin;</p> <p>THENCE North 86° - 57' West continuing with said easement line, 141.1 feet to the place of beginning and containing 3.861 Acres of Land.</p>		
	<p><u>TRACT B:</u></p> <p>Lot 2R, Block 1, Kin Acres Addition to the City of Fort Worth, Tarrant County, Texas, commonly known as 3900 Longvue Ave., Fort Worth, Texas.</p>	EX A2	A2216
<p><b>Church of the Holy Cross</b></p>	<p><u>TRACT A:</u></p> <p>A tract of land in the H. G. Catlett Survey, Abst. No.</p>	SC 3061-3063	A1556-58

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>(Burleson)</b>	183, situated in the City of Burleson, Johnson County, Texas, being a part of a tract of land conveyed to G. R. Collins by deed recorded in Vol. 31, page 45, of the Deed Records of Johnson County, Texas, and being more particularly described by its metes and bounds as follows: to-wit: BEGINNING at a steel rod in the northwest line of Johnson Avenue in the City of Burleson, said point being North 45 deg. 35 min. East, 232 9/10 feet and North 44 deg. 56 min. West, 35 feet from the south corner of said Catlett Survey; Thence North 44 deg. 56 min. West, 186 9/10 feet to a steel rod; Thence North 38 deg. 29 min. East, 613 2/10 feet to a steel rod; Thence South 45 deg. 01 min. East, 262 65/100 feet to a steel rod in the northwest line of Johnson Avenue; Thence South 45 deg. 35 min. West with the northwest line of Johnson Avenue a distance of 609 5/10 feet to the point of beginning and containing 3 144/1000 acres of land, more or less, as surveyed on March 27, 1962, by Hobert Bartlett, Registered Public Surveyor.		
<b>Episcopal Church of the Good Shepherd (Brownwood)</b>	<p><u>TRACT A:</u></p> <p>All of that certain 0.385-acre lot, or parcel of land being known as Lot No. Eleven (11) Block "B", Stonegate, Section III, to the City of Brownwood, Brown County, Texas and addition being of record in Volume 4, Page 51, of the Plat Records of Brown County, Texas, and being the same land as conveyed by deed from Steven S. Settle et.ux. to Ernest Painter et.ux. dated August 24, 1990, being of record in Volume 1063, Page 275, of the Real Property Records of Brown County, Texas, further described as follows;</p> <p>BEGINNING at a ½" iron rod found in place in the southwesterly line of Good Shepherd Drive, being the East Corner of said Lot No. 11, for the East Corner of this;</p> <p>THENCE S 35-32 W, with southeasterly line of said Lot No. 11, passing a wood fence line at 77.7 feet, continuing with a total distance of 152.6 feet, to a ½" iron rod set in the northeasterly line of occupied alley way, being the South Corner of said Lot No. 11, for the South Corner of this;</p> <p>THENCE N 48-14 W, with occupied northeasterly line of said alley way, 121.4 feet to a ½" iron rod set, being</p>	SC 2943-2948	A1930-35

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>the West Corner of said Lot No. 11, for the West Corner of this;            THENCE N 41-19 E, with northwesterly line of said Lot No. 11, 145.2 feet to a ½” iron rod set in the southwesterly line of Good Shepherd Drive, being the North Corner of said Lot No. 11, for the North Corner of this;            THENCE with a curve to the left, passing a 3/8” iron rod found at 3.6 feet and having a radius of 1051.8 feet, the arc distance of 106.1 feet, the L.C. of S 51-45 E, 106.1 feet to the place of beginning and calculated to contain 0.385 acre of land in area.</p>		
	<p><u>TRACT B:</u>            3.791 Acres of the H H Hall Survey 49, Abstract 400, in Brown County, Texas, commonly known as 1800 Good Shepherd Dr., Brownwood, Texas 76801.</p>	EX A2	A2219
<p><b>Episcopal Diocese of Fort Worth</b></p>	<p><u>TRACT A:</u>            BEING the following described tract or parcel of land situated in the HAYS COVINGTON SURVEY, ABSTRACT NO. 256, Tarrant County, Texas, and being the same tract as conveyed to James J. Johnson, Trustee, by Deed recorded in Volume 7577, Page 1368 in the Tarrant County Deed Records, and being more particularly described as follows:            BEGINNING at a 5/8 inch iron rod being by Deed South 89 degrees 18 minutes 53 seconds East, a distance of 36.56 feet from the Northwest corner of Lot 1, Block 2, Linda Vista Estates, an Addition to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 388-C, Page 70 of the Tarrant County Plat Records;            THENCE North 89 degrees 18 minutes 59 seconds West, along the North line of said Linda Vista Estates, a distance of 1288.29 feet to an iron rod in the East right-of-way line of Brazos Street (F.M. Highway No. 2871) and being on a curve having a radius of 2804.79 feet whose center bears South 88 degrees 56 minutes 32 seconds East, a distance of 2804.79 feet;            THENCE Northeasterly, along said curve and along the East right-of-way line of said Brazos Street and through</p>	SC 3764-3772	A1752-60

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>a central angle of 3 degrees 49 minutes 37 seconds, an arc length of 187.33 feet, a chord bearing of North 2 degrees 58 minutes 16 seconds East, and a chord distance of 187.3 feet to a 5/8 inch iron rod;</p> <p>THENCE North 4 degrees 54 minutes 33 seconds East, along the East right-of-way line of said Brazos Street, a distance of 412.15 feet to a 5/8 inch iron rod at the beginning of a curve to the left having a radius of 3879.72 feet whose center bears North 85 degrees 04 minutes 59 seconds West, a distance of 3879.72 feet;</p> <p>THENCE Northeasterly, along said curve and along the East right-of-way line of said Brazos Street and through a central angle of 4 degrees 13 minutes 32 seconds, an arc length of 286.12 feet, a chord bearing of North 2 degrees 48 minutes 15 seconds East, and a chord distance of 286.06 feet to a 3/4 inch iron rod;</p> <p>THENCE North 0 degrees 37 minutes 04 seconds East, along the East right-of-way line of said Brazos Street, a distance of 86.98 feet to a yellow capped iron rod;</p> <p>THENCE North 27 degrees 57 minutes 17 seconds East, along the East right-of-way of said Brazos Street, a distance of 132.99 feet to a 5/8 inch iron rod in the South right-of-way line of Interstate Highway No. 30, and being on a curve having a radius of 736.20 feet whose center bears North 37 degrees 18 minutes 32 seconds West, a distance of 736.20 feet;</p> <p>THENCE Northeasterly, along said curve and along the South right-of-way line of Interstate Highway No. 30, and through a central angle of 20 degrees 23 minutes 27 seconds, an arc length of 262.01 feet a chord bearing of North 42 degrees 29 minutes 44 seconds East, and a chord distance of 260.63 feet to a 3/4 inch iron rod;</p> <p>THENCE North 32 degrees 20 minutes 01 second East, along the South right-of-way line of said Interstate Highway No. 30, a distance of 113.1 feet to a 3/4 inch iron rod at the beginning of a curve to the right having a radius of 1889.26 feet whose center bears South 57 degrees 31 minutes 59 seconds East, a distance of 1889.26 feet;</p> <p>THENCE Northeasterly, along said curve and along the South right-of-way line of said Interstate Highway No. 30, and through a central angle of 29 degrees 16 minutes 01 seconds, an arc length of 965.04 feet, a chord bearing</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>of North 47 degrees 06 minutes 02 seconds East, and a chord distance of 954.58 feet to an iron rod;            THENCE North 61 degrees 43 minutes 00 seconds East, along the South right-of-way line of said Interstate Highway No. 30, a distance of 145.36 feet to a 5/8 inch iron rod;            THENCE South 28 degrees 17 minutes 00 seconds East, a distance of 30.0 feet to an iron rod;            THENCE North 61 degrees 43 minutes 00 seconds East, a distance of 50.0 feet to an iron rod;            THENCE North 28 degrees 17 minutes 00 seconds West, a distance of 30.0 feet to an iron rod in the South right-of-way line of said Interstate Highway No. 30;            THENCE North 61 degrees 43 minutes 00 seconds East, along the South right-of-way line of said Interstate Highway No. 30, a distance of 95.04 feet to a 5/8 inch iron rod;            THENCE South 0 degrees 40 minutes 26 seconds West, a distance of 2178.51 feet to PLACE OF BEGINNING, containing 48.6972 acres or 2,121,259 square feet of land, more or less.</p>		
	<p><u>TRACT B:</u></p> <p>BEING the following described tract or parcel of land situated in the HAYS COVINGTON SURVEY, ABSTRACT NO. 256, Tarrant County, Texas, and being a portion of a tract as conveyed to Vernon Savings and Loan Association as Tract II by Deed recorded in Volume 8644, Page 481 in the Tarrant County, Texas, and being more particularly described as follows:            BEGINNING at a red capped iron rod at the intersection of the South right-of-way line of North Normandale Street (an 80.0 foot right-of-way) with the West right-of-way line of Alameda Street (an 80.0 foot right-of-way), and being on a curve having a radius of 1169.96 feet whose center bears South 79 degrees 18 minutes 24 seconds East, a distance of 1169.96 feet;            THENCE Southeasterly along said curve and along the West right-of-way line of said Alameda Street and through a central angle of 42 degrees 43 minutes 00 seconds, an arc length of 872.26 feet, a chord bearing of South 10 degrees 39 minutes 55 seconds East, and a</p>	SC 3764-3772	A1752-60

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>chord distance of 852.2 feet to a 5/8 inch iron rod;  THENCE South 31 degrees 58 minutes 38 seconds East,  along the West right-of-way line of said Alameda Street,  a distance of 337.24 feet to a 1/2 inch iron rod at the  Northeast corner of a tract as conveyed to Dan H.  Curlee, as Tract V, by Deed recorded in Volume 9576,  Page 815 in the Tarrant County Deed Records, and being  on a curve having a radius of 337.42 feet whose center  bears North 25 degrees 09 minutes 46 seconds West, a  distance of 337.42 feet;  THENCE Southwesterly along said curve and along the  North line of said Tract V and through a central angle of  25 degrees 49 minutes 34 seconds, an arc distance of  152.09 feet, a chord bearing of South 77 degrees 45  minutes West, and a chord distance of 150.81 feet to a 1/2  inch iron rod;  THENCE North 89 degrees 20 minutes 53 seconds West,  along the North line of said Tract V, a distance of 867.83  feet to an iron rod at the Northwest corner of said Tract  V;  THENCE South 0 degrees 02 minutes 42 seconds East, a  distance of 541.06 feet to a 1/2 inch iron pipe at the  Southwest corner of said Tract V, and being in the North  line of Block 3, Linda Vista Estates, an Addition to the  City of Fort Worth, Tarrant County, Texas, according to  the plat recorded in Volume 388-C, Page 70 in the  Tarrant County Plat Records;  THENCE North 89 degrees 18 minutes 43 seconds West,  along the North line of Linda Vista Estates, a distance of  1061.56 feet to a 5/8 inch iron rod;  THENCE North 0 degrees 40 minutes 26 seconds East, a  distance of 1118.03 feet to a red capped iron rod in the  South right-of-way line of said North Normandale Street  and being in the East line of a tract as conveyed to  FSLIC as Tract I by Deed recorded in Volume 9087,  Page 507 in the Tarrant County Deed Records;  THENCE North 54 degrees 31 minutes 08 seconds East,  along the South right-of-way line of said North  Normandale Street, a distance of 234.84 feet to an iron  rod at the beginning of a curve to the right, having a  radius of 1231.29 feet whose center bears South 35  degrees 28 minutes 52 seconds East, a distance of  1231.29 feet;</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>THENCE Northeasterly along said curve and along the South right-of-way line of said North Normandale Street and through a central angle of 3 degrees 41 minutes 28 seconds, an arc length of 79.32 feet, a chord bearing of North 56 degrees 21 minutes 52 seconds East, and a chord distance of 79.31 feet to a PK nail;</p> <p>THENCE North 58 degrees 12 minutes 37 seconds East, along the South right-of-way line of said North Normandale Street, a distance of 13.19 feet to an iron rod at the beginning of a curve to the left, having a radius of 1251.29 feet whose center bears North 31 degrees 47 minutes 23 seconds West, a distance of 1251.29 feet;</p> <p>THENCE Northeasterly, along said curve and along curve and along the South right-of-way line of said North Normandale Street, and through a central angle of 3 degrees 41 minutes 29 seconds, an arc length of 80.61 feet, a chord bearing of North 56 degrees 21 minutes 53 seconds and a chord distance of 80.6 feet to an iron rod;</p> <p>THENCE North 54 degrees 31 minutes 08 seconds East, along the South right-of-way line of said North Normandale Street, a distance of 215.0 feet to a 5/8 inch iron rod;</p> <p>THENCE South 35 degrees 28 minutes 52 seconds East, a distance of 15.0 feet to an iron rod;</p> <p>THENCE north 54 degrees 31 minutes 08 seconds East, a distance of 64.0 feet to an iron rod;</p> <p>THENCE North 35 degrees 28 minutes 52 seconds West, a distance of 15.0 feet to a red capped iron rod in the South right-of-way line of said North Normandale Street;</p> <p>THENCE North 54 degrees 31 minutes 08 seconds East, along the South right-of-way line of said North Normandale Street, a distance of 129.62 feet to a 5/8 inch iron rod at the beginning of a curve to the right having a radius of 905.63 feet whose center bears South 35 degrees 28 minutes 53 seconds East, a distance of 905.63 feet;</p> <p>THENCE Northeasterly, along said curve and along the South right-of-way line of said North Normandale Street and through a central angle of 15 degrees 43 minutes 20 seconds, an arc length of 248.51 feet, a chord bearing of North 62 degrees 22 minutes 47 seconds East, and a chord distance of 247.73 feet to a 5/8 inch iron rod at the beginning of a curve to the right, having a radius of</p>		



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>1066.00 feet whose center bears South 19 degrees 45 minutes 33 seconds East, a distance of 1066.00 feet;            THENCE Northeasterly, along said curve and along the South right-of-way line of said North Normandale Street and through a central angle of 13 degrees 01 minute 20 seconds, an arc length of 242.28 feet, a chord bearing of North 76 degrees 45 minutes 07 seconds East, and a chord distance of 241.76 feet to a red capped iron rod at the beginning of a curve to the right having a radius of 968.41 feet whose center bears South 6 degrees 44 minutes 13 seconds East, a distance of 968.41 feet;            THENCE Southeasterly, along said curve and along the South right-of-way line of said North Normandale Street and through a central angle of 20 degrees 11 minutes 44 seconds, an arc length of 341.34 feet, a chord bearing of South 86 degrees 38 minutes 21 seconds East, and a chord distance of 339.58 feet to a 5/8 inch iron rod;            THENCE South 76 degrees 32 minutes 29 seconds East, along the South right-of-way line of said North Normandale Street, a distance of 272.08 feet to PLACE OF BEGINNING, containing 56.8845 acres or 2,477,888 square feet of land, more or less.</p>		
	<p><u>TRACT C:</u></p> <p>Being 2.004 acres of land located in the Hays Covington survey, Abstract No. 256, Fort Worth, Tarrant County, Texas, and being a portion of the Tract of land conveyed to All Saints Episcopal School of Fort Worth by the deed recorded in Volume 12569, page 23 of the Deed Records of Tarrant County, Texas. Said 2.004 acres being more particularly described by metes and bounds, as follows:            BEGINNING at a 5/8" iron rod found, at the most Easterly Southeast corner of said All Saints Episcopal School of Fort Worth Tract, being the Northeast corner of the Tract of land conveyed to Huey-Min Yu, Trustee by the deed recorded in Volume 12211, page 1845 of the Deed Records of Tarrant County, Texas. Said point of beginning also lying in the Southwest right-of-way line of Alameda Street (an 80 foot wide public right-of-way):            THENCE departing said right-of-way line and running along the South boundary line of said All Saints Episcopal School of Fort Worth Tract, and the North boundary line of said Huey-Min Yu, Trustee Tract, as</p>	SC 3747-3753	A1936-42

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>follows:</p> <p>1. SOUTHWESTERLY 152.09 feet, along a curve to the right having a radius of 337.42 feet, a central angle of 25° 49' 33", and a chord bearing S 77° 45' 00" W 150.81 feet, to a 5/8" iron rod found, at the end of said curve;</p> <p>2. N 89° 22' 35" W 241.21 feet, to a 5/8" iron rod found;</p> <p>THENCE N 00° 39' 52" E 212.80 feet, severing said All Saints Episcopal School of Fort Worth Tract, to a 1/2" iron rod set;</p> <p>THENCE N 58° 52' 59" E 230.55 feet, to a 1/2" iron rod set, in the Northeast boundary line of said All Saints Episcopal School of Fort Worth Tract, being the Southwest right-of-way line of aforesaid Alameda Street;</p> <p>THENCE along the Southwest right-of-way line of said Alameda Street, as follows:</p> <p>1. SOUTHEASTERLY 19.17 feet, along a curve to the left having a radius of 1169.96 feet, a central angle of 00° 56' 20", and a chord bearing S 31° 32' 11" E 19.17 feet, to a 5/8" iron rod found, at the end of said curve;</p> <p>2. S 31° 58' 38" E 331.42 feet, to the Place of Beginning, containing 2.004 acres (87,294 feet) of land.</p> <p>Subject to:</p> <p>(1) Discrepancy of fence line along east and south property lines as shown on survey dated March 16, 1999 prepared by James L. Brittain, Registered Professional Land Surveyor No. 1674</p> <p>(2) Portion of property lying within Alameda Street right-of-way.</p>		
	<p><u>TRACT D:</u></p> <p>Property previously designated for the Crowley Church Plant in Tarrant County, Texas</p>	EX A2	A2227
	<p><u>TRACT E:</u></p> <p>Seven (7) tracts, being 144.081 acres more or less, located in the MEP and PRR Co. Survey, Abstract No. 937 and the HR Moss Survey, Abstract No. 888, Parker County, Texas, as described in Warranty Deed dated December 14, 1962, recorded in Volume 346, Page 446, Deed Records, Parker County, Texas and Amendment of</p>	EX A2	A2227

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	Oil, Gas and Mineral Lease dated June 26, 2007 with XTO Energy Inc., recorded in Vol. 2614 Page 1345 of the Deed Records of Parker County, Texas.		
<b>Good Shepherd (Granbury)</b>	<u>TRACT A:</u> Lot 5 in Block 1 of WALNUT CREEK, a subdivision of Hood County, Texas, according to the plat thereof recorded in Slide A-297-B of the Plat Records of Hood County, Texas.	SC 3020-3022	A1947-49
	<u>TRACT B:</u> Lot 6, Block 1, WALNUT CREEK SUBDIVISION ADDITION, City of Acton, Hood County, Texas.	SC 3020-3022	A1947-49
	<u>TRACT C:</u> BEING a tract of land out of the JOHN McCOY SURVEY, Abstract No. 381, Hood County, Texas, a portion of the tract of land described in the deed, to J.R. Hopkins and wife, Mary Alice Hopkins, recorded on Page 497 in Volume 105 of the Deed Records of Hood County, Texas; and being described by metes and bounds as follows: BEGINNING at an iron rod in the west line of said Hopkins tract, said iron rod being the northeast corner of the 5 acre tract of land described in the deed, to the Acton Cemetary Association of Hood County, Texas, recorded on Page 320 in Volume 83 of said Deed Records; THENCE N 60° 30' 45" E a distance of 120.00 feet to an iron rod for corner; THENCE S 29° 29' 15" E a distance of 288.69 feet to an iron rod for corner; THENCE S 40° 54' 30" W a distance of 223.85 feet to an iron rod for corner in the east right-of-way line of Farm-to-Market Highway No. 1190; THENCE, with said east right-of-way line along a wire fence, along a curve to the right, having a radius of 342.0 feet and a central angle of 03° 21', a distance of 20.00 feet (Long Chord – N 56° 38' 15" W 20.00 feet) to an iron rod for corner at the intersection of said east right-of-way line with the common line between said Hopkins	SC 3023-3026	A1559-62

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	tract and said Cemetary Association tract; THENCE, with said common line along a wire fence, N 29° 29' 15" W a distance of 346.00 feet to the POINT OF BEGINNING and containing 1.654 acres of land.		
<b>Good Shepherd (Wichita Falls)</b>	<p><u>TRACT A:</u></p> <p>A part of Survey No. 16 for 540 acres patented to John A. Scott, Assignee, on March 21<sup>st</sup> 1855, and being Eighty feet off of the Southwest end of Lots Nos. Nine (9) and Ten (10) in Block No. One Hundred and Ninety (190) in the town of Wichita Falls, in said County, as shown by the recorded map or plat thereof, and more particularly described as follows: Beginning at the West corner of said Block No. 190 which is at the intersection of the Northeast line of Burnett Street with the Southeast line of 10<sup>th</sup> Street. Thence Northeasterly with the Southeast line of 10<sup>th</sup> Street Eighty feet to corner on Northwest line of sold Lot No. 10. Thence Southeasterly parallel with Burnett Street, One Hundred and Forty feet to the Southeast line of said Lot No. 9 Thence Southwesterly with the Southeast line of Lot No. 9 and parallel with 10<sup>th</sup> Street Eighty feet to the South corner of Lot No. 9 on the Northeast line of Burnett Street. Thence Northwesterly with the Northeast line of Burnett Street, One Hundred and Forty feet to the beginning and being the same property conveyed to me by J.C. Zeigler and wife on January 23<sup>rd</sup> 1913, by deed recorded in Vol. 63 Page 609 of the Deed Records of Wichita County.</p>	SC 3469	A1563
	<p><u>TRACT B:</u></p> <p>A part of Survey No. 16 for 640 acres patented to John A. Scott, Assignee, on March 21<sup>st</sup> 1855, and being the East Seventy feet of Lots Nos. Nine (9) and Ten (10) in Block No. One Hundred Ninety (190) in the town of Wichita Falls, in said County, as shown by the recorded map or plat thereof, and more particularly described as follows: Beginning at the Northeast corner of said Lot No. 10 Block No. 190, at the intersection of the South line of Tenth Street with the West line of Alley running through said Block No. 190; Thence Westwardly with South line</p>	SC 3468	A1564

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	of Tenth Street Seventy feet a stake; Thence Southwardly parallel with Burnett Street 140 feet a stake in the South line of Lot No. 9 same block; Thence Eastwardly parallel with Tenth Street Seventy feet to Alley; Thence Northwardly with Alley 140 feet to the place of beginning.		
	<u>TRACT C:</u>  The West Fifty (50) feet of Lots Nos. 1 and 2, and the West Fifty (50) feet of the North Ten (10) feet of Lot No. 3 in Block No. 190 of the original Town of Wichita Falls, Texas, and including all floor covering and wall to wall carpets; drapes; floor furnaces; evaporative cooler; now in place in said property; and being the same property described in a deed from John M. Barnard, et al, to K.W. Anderson, et al, dated August 15, 1947, and recorded in Volume 463; page 163 of the Deed Records of Wichita County, Texas.	SC 3462	A1565
	<u>TRACT D:</u>  All that certain lot or parcel of land lying in the City of Wichita Falls, Wichita County, Texas, being more particularly described as follows: The north forty (40) feet of Lot No. 7 and the south ten (10) feet of Lot No. 8 in Block No. 190 in the original city of Wichita Falls, Texas according to the plat thereof of record in the Deed Records of Wichita County, Texas.	SC 3488-3489	A1566-67
	<u>TRACT E:</u>  All of Block 1, Newcomb Downs, Section 1, an addition to City of Wichita Falls, Texas, according to the map or plat thereof recorded in the office of the County Clerk, Wichita County, Texas.	LEP 00150-00151	A2144-45
	<u>TRACT F:</u>  Lot 7-A, Replat, Block 190, Original Town of Wichita Falls, Wichita County, Texas, commonly known as 1109 10 <sup>th</sup> St., Wichita Falls, Texas.	EX A2	A2224

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<u>TRACT G:</u>  Property in Oklahoma, for use of Good Shepherd Episcopal Church, Wichita Falls.	EX A2	A2227
<b>Holy Comforter (Cleburne)</b>	<u>TRACT A:</u>  All that certain tract . . . of land, lying and situated in the City of Cleburne, Johnson County, Texas, described as follows: Lot numbers One (1) and Three (3) in Block Nineteen (19), the same being the lots conveyed by . . . to Mrs. M.A. McNeece by deed dated . . . 11, 1842 . . . (as deeded to A.C. Garrett, Bishop of the Protestant Episcopal Church on Oct. 29, 1892)	SC 2989	A1569
	<u>TRACT B:</u>  All that certain tract or parcel of land situated in the County of Johnson, State of Texas, being Lots 2 and 4, Block 19, City of Cleburne, Johnson County, Texas, according to the Plat recorded in Volume 197, Page 639, Deed Records, Johnson County, Texas, being the same property and all of the following three tracts of land, R.M. Shiflet, Jr., et ux to Doctors Clinic, Inc. by deed dated November 4, 1959 and recorded in Volume 431, Page 048, Deed Records, Johnson County, Texas; W.J. Patterson, et ux to Doctors Clinic, Inc. by deed dated April 10, 1962 and recorded in Volume 448, Page 253, Deed Records, Johnson County, Texas; and Fred L. Hollingsworth, et al to Mason Shiflett by deed dated March 21, 1974, and recorded in Volume 633, Page 786, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows: All bearings being correlated to the north line of said Block 19, City of Cleburne, Johnson County, Texas (North 76 degrees East). BEGINNING at a one-half inch iron pin set for the northwest corner of the Doctors Clinic, Inc. tract (431-048) in the intersection of the east line of North Anglin Street with the south line of Brown Street, said corner being the northwest corner of said Lot 2, Block 19, City of Cleburne, Johnson County, Texas; THENCE North 76 degrees East, with the South line of Brown Street, the north line of said Lot 2 and the North	SC 2985-2988	A1955-58

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>line of Doctors Clinic, Inc. tract (431-048), at a distance of 105.0 feet pass the northeast corner of said Lot 2, and the northwest corner of said Lot 4, Block 19, City of Cleburne, Johnson County, Texas, continuing with the south line of Brown Street, the north line of said Lot 4 and the north line of Doctors Clinic, Inc. tract (431-048), at a distance of 135.0 feet pass the northwest corner of the Mason Shiflett tract (633-786), continuing with the south line of Brown Street, the north line of said Lot 4 and the north line of the Mason Shiflett tract (633-786), in all a distance of 210.0 feet to a one-half inch iron pin set for the northeast corner of the Mason Shiflett tract (633-786) in the intersection of the south line of Brown Street with the west line of North Robinson Street, said corner being the northeast corner of said Lot 4;</p> <p>THENCE South 14 degrees East, with the west line of North Robinson Street, the east line of said Lot 4, and the east line of the Mason Shiflett tract (633-786), at a distance of 35.0 feet pass the southeast corner of the Mason Shiflett tract (633-786) and the northeast corner of the Doctors Clinic, Inc. tract (448-253), continuing with the west line of North Robinson Street, the east line of said Lot 4 and the east line of Doctors Clinic, Inc. tract (448-253), in all a distance of 105.0 feet to a one-half inch iron pin set for the southeast corner of Doctors Clinic, Inc. tract (443-253), said corner being the southeast corner of said Lot 4;</p> <p>THENCE South 76 degrees West, with the south line of said Lot 4 and the south line of Doctors Clinic, Inc. tract (448-253), at a distance of 95.0 feet pass the southwest corner of Doctors Clinic, Inc. tract (448-253) and the southeast corner of Doctors Clinic, Inc. tract (431-048), continuing with the south line of said Lot 4 and the south line of Doctors Clinic, Inc. tract (431-048), at a distance of 105.0 feet pass the southwest corner of said Lot 4 and the southeast corner of said Lot 2, continuing with the south line of said Lot 2 and the south line of Doctors Clinic, Inc. tract (431-048), in all a distance of 210.0 feet to a one-half inch iron pin set for the southwest corner of Doctors Clinic, Inc. tract (431-048) in the east line of North Anglin Street, said corner being the southwest corner of said Lot 2;</p> <p>THENCE North 14 degrees West, with the east line of</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	North Anglin Street, the west line of said Lot 2 and the west line of Doctors Clinic, Inc. tract (431-048), a distance of 105.0 feet to the point of beginning.		
<b>Holy Spirit (Graham)</b>	<u>TRACT A:</u>  Lot No. Two (2) in Block No. Eleven (11) of the Airport Addition to the City of Graham, Young County, Texas.	SC 3142-3143	A1570-71
	<u>TRACT B:</u>  <u>FIRST TRACT:</u> Being all of Lot No. 1 in Block No. 11 of the Airport Addition to the City of Graham, Texas  <u>SECOND TRACT:</u> Being 1.2 acre, more or less, out of the B. F. Dudney Survey, Abstract No. 1406, and the William McLeoud Survey, Abstract No. 1481, Young County, Texas, described as, BEGINNING at the South corner of FIRST TRACT above described; THENCE N 39-37 W 214 feet to a point in the South boundary line of Hillcrest Drive in Graham, Texas, being the Northwest corner of said FIRST TRACT; THENCE N 73-47 W130 feet along the South boundary line of said Hillcrest Drive; THENCE on a curve with a radius of 8.5 feet to intersect with the East boundary line of Woodlawn Drive; THENCE with the East boundary line of Woodlawn Drive S 12-42 E 119 feet, S 30-10 W 9 feet, and S 56-21 W 55 feet to the Northeast corner of a lot heretofore conveyed to E. B. Harris by a deed dated March 25, 1953, recorded in Volume 279 at Page 398 of the Young County Deed Records; THENCE S 39-04 E, following the Northeast boundary line of said Harris lot, 206.3 feet to the Southeast corner of said Harris lot; THENCE N 61-53 E 54.7 feet to an iron pin for corner, being the South corner of a tract described in one certain deed dated January 11, 1955 from Maud Graham to Harry Newton, recorded in Volume 302 at Page 474 of said Deed Records; THENCE N 50-23 E 153.6 feet to the place of beginning, the above two tracts being the same land designated as FIRST TRACT and as SECOND TRACT in one certain Plat dated July 5, 1961, prepared by M. K. Mobley, Registered Public Surveyor, and recorded in Volume 1 at Page 78 of the Young County Plat Records, to which reference is hereby made	SC 3148-3149	A1572-53



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	for all purposes.		
<b>Holy Trinity (Eastland)</b>	<u>TRACT A:</u> The South Eighty (80') Feet of Lots Nos. Fifteen (15) and Sixteen (16), Block G/2 of the Nellie Connelle Addition or Sub-division of the said City of Eastland, Eastland County, Texas.	SC 3627-3628	A1574-75
	<u>TRACT B:</u> 1.16 Acres out of the 2979 TE&L Railroad Survey, Abstract 528, Eastland, Eastland County, Texas, ommonly known as 710 S. Seaman St., Eastland, Texas 76448.	EX A2	A2222
<b>Iglesia San Juan Apostle (Fort Worth)</b>	<u>TRACT A:</u> The West ½ of the South ½ and the North ½ of the West ½ of Block 49, SILVER LAKE ADDITION, as Addition to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 204, Page 36, Deed Records of Tarrant County, Texas; SAVE AND EXCEPT the North 322.5 square feet of West ½ of North ½ granted to City of Fort Worth, April 5, 1973, for permanent road easement, as recorded in Volume 5477, Page 866, Deed Records of Tarrant County, Texas; AND; THE North 50 feet of the West 107½ feet of Block 50, The South 100 feet of the West ½ of Block 50; and the West ½ of Block 51, WILVER LAKE ADDITION to the City of Fort Worth, Tarrant County, Texas according to plat recorded in Volume 204, Page 36, Deed Records of Tarrant County, Texas; AND; THAT portion of Block 50, SOUTH FORT WORTH ADDITION to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 204, Page 15, Deed Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows: BEGINNING in the North line of said Block 50, at the Southwest corner of Block 51 of Silver Lake Addition;	SC 3067-3070	A1959-62

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>THENCE South along the East line of South Adams Street, 30.3 feet to the South line of said Block 50 in the North line of Dickson Street;</p> <p>THENCE East along the South line of Block 50 and the North line of Dickson Street, 107.5 feet;</p> <p>THENCE North 18.8 feet to the South line of Block 51 of Silver Lake Addition;</p> <p>THENCE Northwesterly along the North line of Block 50 a distance of 100 feet more or less to the POINT OF BEGINNING.</p>		
<p><b>Iglesia San Miguel (Fort Worth)</b></p>	<p><u>TRACT A:</u></p> <p>BEING A TRACT OF LAND SITUATED IN THE STATE OF TEXAS, COUNTY OF TARRANT AND THE CITY OF FORT WORTH, BEING ALL OF LOT 26 AND A PART OF LOT 25, BLOCK 5 OF TRENTMAN CITY ADDITION, AN ADDITION TO THE CITY OF FORT WORTH ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-F, PAGE 509 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS, BEING ALL OF A TRACT OF LAND CONVEYED TO KENNETH A. BENNETT BY DEED RECORDED IN VOLUME 17071, PAGE 14 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND THESE PREMISES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>BEGINNING AT A ½ INCH IRON ROD SET MARKING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF FAIRFAX DRIVE AND THE EAST RIGHT-OF-WAY LINE OF SHACKLEFORD STREET AND THE SOUTHWEST CORNER OF SAID PREMISES;</p> <p>THENCE WITH SAID EAST RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID PREMISES, NORTH, 490.00 FEET TO A RAILROAD SPIKE FOUND MARKING THE SOUTHWEST CORNER OF LOT 1, BLOCK 5 OF SAID TRENTMAN CITY ADDITION AND THE NORTHWEST CORNER OF SAID PREMISES;</p> <p>THENCE WITH THE SOUTH LINE OF SAID LOT 1, THE SOUTH LINE OF LOT 2, BLOCK 5 OF SAID ADDITION AND THE NORTH LINE OF SAID PREMISES, EAST, 127.43 FEET TO A ½ INCH IRON</p>	<p>SC 3688-3692; SC 3683-3687</p>	<p>A1963-67; A1767-71</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>ROD SET MARKING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ROSITA BASALDU BY DEED RECORDED IN VOLUME 16700, PAGE 121 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND THE NORTHEAST CORNER OF SAID PREMISES;  THENCE WITH THE WEST LINE OF SAID BASALDU TRACT AND THE EAST LINE OF SAID PREMISES, SOUTH 15 DEGREES 00 MINUTES 42 SECONDS EAST, 290.27 FEET TO A ½ INCH IRON ROD SET MARKING THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO BENNIE RUTH SMITH BY DEED RECORDED IN THE DEED OF RECORDS OF TARRANT COUNTY, TEXAS;  THENCE WITH THE NORTH LINE OF SAID SMITH TRACT AND A NORTH LINE OF SAID PREMISES, SOUTH 74 DEGREES 59 MINUTES 18 SECONDS WEST, 50.00 FEET TO A ½ INCH IRON ROD SET MARKING THE NORTHWEST CORNER OF SAID SMITH TRACT;  THENCE WITH THE WEST LINE OF SAID SMITH TRACT AND THE EAST LINE OF SAID PREMISES, SOUTH 15 DEGREES 00 MINUTES 42 SECONDS EAST, 150.00 FEET TO A ½ INCH IRON ROD SET IN THE NORTH RIGHT-OF-WAY LINE OF FAIRFAX DRIVE MARKING THE SOUTHWEST CORNER OF SAID SMITH TRACT AND THE SOUTHEAST CORNER OF SAID PREMISES;  THENCE WITH SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID PREMISES, SOUTH 74 DEGREES 59 MINUTES 18 SECONDS WEST, 200.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 78,755 SQUARE FEET OR 1.81 ACRES OF LAND, MORE OR LESS.</p>		
	<p><u>TRACT B:</u>  BLOCK 8, LOT 1A, TRENTMAN CITY ADDITION, SITUATED IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 10878, PAGE 1732, OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS.</p>	<p>LEP  00517-  00521</p>	<p>A2149-  53</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<u>TRACT C:</u>  BLOCK 8, LOT 1B, TRENTMAN CITY ADDITION, SITUATED IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 10878, PAGE 1732, OF THE DEED RECORDS OF TARRANT COUNTY TEXAS.	LEP 00522- 00526	A2154- 58
	<u>TRACT D:</u>  BLOCK 8, LOT 1C, TRENTMAN CITY ADDITION, SITUATED IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 10878, PAGE 1732, OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS.	LEP 00527- 00531	A2159- 63
	<u>TRACT E:</u>  BLOCK 8, LOT 1D, TRENTMAN CITY ADDITION, SITUATED IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 8686, PAGE 852, OF THE DEED RECORDS OF TARRANT COUNTY TEXAS.	LEP 00532- 00536	A2164- 68
	<u>TRACT F:</u>  BLOCK 8, LOT 2A, TRENTMAN CITY ADDITION, SITUATED IN THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 10878, PAGE 1732, OF THE DEED RECORDS OF TARRANT COUNTY TEXAS.	LEP 00537- 00541	A2169- 73
<b>Our Lady of the Lake (Laguna Park)</b>	<u>TRACT A:</u>  BEING Lots 11, 12, 18, 19, 20, 21, 22, 23 and 24, in WESTWAY, a subdivision on Lake Whitney, Bosque County, Texas, according to the Plat thereof recorded in volume 170, page 516, Deed Records of Bosque County, Texas. BEING THE IDENTICAL LAND described in deed dated September 14, 1984, from Bank of Texas, a	SC 3044- 3045	A1968- 69

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>Texas Corporation to Joseph Fazi and Edith B. Spencer, recorded in volume 289, page 194, Deed Records of Bosque County, Texas.</p> <p>THIS CONVEYANCE IS EXPRESSLY MADE SUBJECT TO: 1) Right of Way easement dated April 7, 1953, from O.T. Smyth, Trustee to Community Public Service Company, recorded in volume 5, page 266, Right of Way Records of Bosque County, Texas.</p>		
	<p><u>TRACT B:</u></p> <p>Lots 98 &amp; 99, Wildwood Subdivision, Three Fingers Rd. &amp; Crockett Trail, Bosque County, Texas 76634, according to the plat thereof recorded in Volume 180, Page 265, Deed Records of Bosque County, Texas.</p>	SC 3041-3043	A1970-72
<b>St. Alban (Hubbard)</b>	<p><u>TRACT A:</u></p> <p>Seventeen and one-half (17 ½') feet off of the West side of Lot No. Two (2) and all of Lots Nos. Three (3) and Four (4) in Block No. Twelve (12) of the Onstott Addition to the town of Hubbard City, Hill County, Texas, as shown by the map or plat of said Onstott Addition to the town of Hubbard City, Texas, on file in the County Clerk's Office of Hill County, Texas; said land hereby conveyed being the same land conveyed by Mrs. Annie L. Mullins et al to Mrs. Ruth Wells Ferguson by Warranty Deed dated the 30<sup>th</sup> day of October, 1945, recorded in Volume 330, page 618, of the Deed Records of Hill County, Texas, and by Carl Boyles and wife, Eileise Boyles, to Ruth Wells Ferguson and John Darrell Ferguson by Warranty Deed dated the 4<sup>th</sup> day of May, 1945, recorded in Volume 324, page 244, of the Deed Records of Hill County, Texas, to which instruments, together with the records thereof, reference is hereby made for all legal purposes.</p>	SC 3037-3039	A1576-78
<b>St. Alban's (Arlington)</b>	<p><u>TRACT A:</u></p> <p>Block "B", COLLEGE HILLS ADDITION to the City of Arlington, Tarrant County, Texas, according to the plat thereof recorded in the Deed Records of Tarrant County, Texas;</p> <p>SAVE AND EXCEPT the following parcel:</p>	SC 3218-3220	A1579-81;

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>BEGINNING at a point in the East R.O.W. line of Davis Drive, said point being North 70 feet from the Northwest corner of Block D described below;  THENCE S 89°13' E a distance of 262.10 feet to a point for corner;  THENCE S 0°11' E a distance of 23.00 feet to a point for corner, said point being the beginning of a non-tangent curve to the right, said curve having a central angle of 54°37' and a radius of 16.85 feet;  THENCE in a Southwesterly direction along said curve a distance of 16.06 feet to a point of tangency;  THENCE N 89°13' W along the North R.O.W. line of University Drive a distance of 248.21 feet to a point for corner, said point being in the East R.O.W. line of Davis Drive;  THENCE North along the East R.O.W. line of Davis Drive a distance of 30 feet to the point of beginning and containing 0.2270 acre of land, more or less.</p>		
	<p><u>TRACT B:</u></p> <p>Being part of Block "A" of COLLEGE HILLS ADDITION to the City of Arlington, Tarrant County, Texas, according to plat recorded in Deed Records of Tarrant County, Texas, and described by metes and bounds as follows:  BEGINNING at an iron pin in the East line of Davis Drive, 101 feet South of the Northwest corner of said Block "A";  THENCE South 89 deg. 25 min. East 262.2 feet to an iron pin in the East line of Block A, said point being 170.5 feet South of the Northeast corner of Block A;  THENCE South 00 deg. 04 min. East along the East line of Block A, 23 feet to an iron pin on a curve in the Northwest right of way line of University Drive;  THENCE along said curve to the left 80.5 feet to an iron pin at point of tangent of said curve;  THENCE South 00 deg. 01 min. East along said right of way line 69.5 feet to an iron pin at the beginning of a curve to the right;  THENCE along said curve to the right 78.5 feet to an iron pin at point of tangent of said curve;  THENCE North 89 deg. 47 min. West along the North right of way line of University Drive 184.7 feet to an</p>	SC 3221-3224	A1582-85

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>iron pin in the East right of way line of Davis Drive; THENCE North along the East line of Davis Drive 219.9 feet to the place of beginning.</p> <p>SAVE AND EXCEPT the following parcel: BEGINNING at a point in the East R.O.W. line of Davis Drive, said point being North 70 feet from the Northwest corner of Block D described below; THENCE S 89°13' E a distance of 262.10 feet to a point for corner; THENCE S 0°11' E a distance of 23.00 feet to a point for corner, said point being the beginning of a non-tangent curve to the right, said curve having a central angle of 54°37' and a radius of 16.85 feet; THENCE in a Southwesterly direction along said curve a distance of 16.06 feet to a point of tangency; THENCE N 89°13' W along the North R.O.W. line of University Drive a distance of 248.21 feet to a point for corner, said point being in the East R.O.W. line of Davis Drive; THENCE North along the East R.O.W. line of Davis Drive a distance of 30 feet to the point of beginning and containing 0.2270 acre of land, more or less.</p>		
	<p><u>TRACT C:</u></p> <p>The surface only of a part of Block "A," COLLEGE HILLS ADDITION to the City of Arlington, Tarrant County, Texas according to the Plat and Dedication recorded in Volume 388-C, page 182, Plat Records, Tarrant County, Texas, and being further described as follows: BEGINNING at Northwest corner of said Block "A"; THENCE North 75 deg. 45 min. East along North line of Block "A," 272.3 feet to iron pin at Northeast corner of said Block "A"; THENCE South 0 deg. 04 min. East 170.5 feet to Northeast corner of tract conveyed by C.H. Wilemon, et al, to Bishop of Protestant Episcopal Church, as shown by deed dated 3/25/54, recorded in Volume 2692, page 441, Deed Records, Tarrant County, Texas; THENCE North 89 deg. 25 min. West 262.2 feet along North line to said tract to a point in East line of Davis Drive and West line of said Block "A," same being</p>	SC 3225-3233	A1973-81

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	Northwest corner of said tract conveyed to Bishop of Protestant Episcopal Church; THENCE North along West line of said Block "A," 100 feet, more or less, to PLACE OF BEGINNING.		
	<p><u>TRACT D:</u></p> <p>The surface only of Lot 3, and a part of Lot 4, Block 1, MORGAN ADDITION to the City of Arlington, Tarrant County, Texas, according to the Plat and Dedication recorded in Volume 388-E, Page 90, Plat Records, Tarrant County, Texas; and being same property described in deed recorded in Volume 3378, Page 418, Real Property Records, Tarrant County, Texas, commonly known as 1010 West Fourth Street, and being further described as follows: Being Lot Three (3) and the East part of Lot Four (4) in Block One (1), MORGAN ADDITION to the City of Arlington, Tarrant County, Texas, that part of Lot 4 in Block 1 herein conveyed being described by metes and bounds as follows to-wit: BEGINNING at a point in the South line of said Lot 4, 66.5 feet from the Southwest corner of said lot; THENCE North parallel with West line of said lot to Northeast corner of said Lot 4; THENCE Southerly with the East line of said Lot, 135 feet to the Southeast corner of said Lot 4; THENCE Southwesterly with the South line of said Lot, 5.1 feet to the Point of Beginning.</p>	SC 3225-3233	A1973-81
	<p><u>TRACT E:</u></p> <p>The surface and all improvements located on that certain 1.542 acres of land, Block 1, Lot 8R, Morgan Addition to the City of Arlington; commonly known as 801 South Davis in the City of Arlington, Tarrant County, Texas.</p>	SC 3225-3233	A1973-81
	<p><u>TRACT F:</u></p> <p>The unimproved surface of Lot 1, Block 1, The Morgan Addition to the City of Arlington, Tarrant County, Texas, as described in Volume 388-E, Page 90, Real Property Records of Tarrant County, Texas.</p>	SC 3225-3233	A1973-81



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<u>TRACT G:</u> The surface and improvements of Lot 5, Block 1, The Morgan Addition to the City of Arlington, Tarrant County, Texas, as described in Volume 388-E, Page 90, Real Property Records of Tarrant County, Texas.	SC 3225-3233	A1973-81
	<u>TRACT H:</u> Being Lot 1-R-1, in Block 1, of CHRISTIAN ACRES ADDITION, an Addition to the City of Arlington, Tarrant County, Texas, according to the Map thereof recorded in Volume B, Page 1967 of the Map Records, Tarrant County, Texas.	SC 3208-3212	A1772-76
	<u>TRACT I:</u> Property in Block D, College Hills Addition to the City of Arlington, Tarrant County, Texas, commonly known as 911 S. Davis Dr., Arlington, Texas 76013.	EX A2	A2217
<b>St. Andrew's (Breckenridge)</b>	<u>TRACT A:</u> All of Lots One (1), Two(2), and Three (3), in Block Twelve (12), East Breckenridge Addition to the City of Breckenridge, Stephens County, Texas.	SC 0331-0332	A1586-87
	<u>TRACT B:</u> The North ninety-five (95) feet of Lots Nos. four (4), five (5) and six (6), Block No. thirteen (13), East Breckenridge Addition to the City of Breckenridge, a plat of said Addition being on file in the office of the Stephens County Clerk.	SC 3136-3138	A1588-90
	<u>TRACT C:</u> The surface only of the south 45 ft. of Lots 4, 5, and 6, Block 13, East Breckenridge Addition to the City of Breckenridge, Stephens County, Texas.	SC 3703-3708; SC 0308-0310	A1982-87; A1787-89
	<u>TRACT D:</u> All that certain lot, tract, piece or parcel of land situate,	SC 3125-3127; SC 3123-	A1591-93; A1783-

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>lying and being in the County of Stephens, State of Texas, and more particularly described as follows, to-wit:</p> <p>THE SURFACE ONLY of Lots 4, 5 and 6 in Block 12 of the East Breckenridge Addition to the City of Breckenridge, SAVE AND EXCEPT the following described tracts which are expressly excepted herefrom and reserved unto prior grantors, to-wit: The North 72 feet of said Lots 5 and 6 and the East 5 feet of the North 72 feet of said Lot 4; and being the same land conveyed to Grantor herein by Special Warranty Deed dated October 24, 1963 and recorded in Volume 329, page 92, of the Stephens County Deed Records.</p>	3124	84
	<p><u>TRACT E:</u></p> <p>Surface of Lot 5, Block 6, Waldon Estate, an addition to the City of Breckenridge in Stephens County, Texas as shown on the amended map or plat of said addition of record in the office of the County Clerk of Stephens County, Texas.</p>	SC 0339-0341	A1988-90
	<p><u>TRACT F:</u></p> <p>All those certain lots, tracts, or parcels of land situated in Stephens County, Texas, and described as follows, to-wit:</p> <p>Being the South 30 feet of Lots 11 through 15 inclusive, all in Block "D", East Breckenridge Addition to the City of Breckenridge, Stephens County, Texas.</p>	SC 3132-3133	A1785-86
<b>St. Andrew's (Fort Worth)</b>	<p><u>TRACT A:</u></p> <p>Being a part of Block Eighty-Seven (87) in the old town of Fort Worth, according to the plat of same more fully described as follows:</p> <p>Beginning at the South-East corner of said Block  Thence in a Westerly direction with the north line of Fifth Street. Fifty (50) feet to a stake in said line  Thence, at right angles, in a northerly direction, one hundred (100) feet to a stake  Thence, at right angles, in a Easterly direction, fifty (50) feet a stake in the West line of Jones Street  Thence at right angles with the line of said Jones Street,</p>	SC 3583-3588	A1594-99

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	in a southerly direction, one hundred (100) feet to the place of beginning.		
	<p><u>TRACT B:</u></p> <p>All of Block 4 (now known as Block 4R) of Hirshfield Addition in the City of Fort Worth in Tarrant County, Texas and the former portion of an alley within said Block.</p> <p>Beginning at the northeast corner of said Block 4 for the intersection of the west line of Taylor Street and the south line of West Tenth Street.</p> <p>Thence south, along the east line of said Block 4 and said west line of Taylor Street, 317-5/10 feet to the southeast corner of said Block 4 for the intersection of the said west line of Taylor Street and the north line of Texas Street.</p> <p>Thence west, along the south line of said Block 4 and said north line of Texas Street, 218 feet to the southwest corner of said Block 4 for the intersection of the said north line of Texas Street and the east line of Lamar Street.</p> <p>Thence north, along the west line of said Block 4 and said east line of Lamar Street, 317-5/10 feet to the northwest corner of said Block 4 for the intersection of the said east line of Lamar Street and said south line of West Tenth Street.</p> <p>Thence east, along the north line of said Block 4 for the said south line of West Tenth Street, 218 feet to the place of beginning and containing 69,215 square feet.</p>	<p>SC 3553-3561;  SC 3577-3578;  SC 3546-3548;  SC 3492-3521;  SC 3564-3567;  SC 3522-3538;  SC 3539-3542;</p>	<p>A1600-03;  A1991-92;  A1609-11;  A1790-92;  A1793-94;  A1801-52</p>
	<p><u>TRACT C:</u></p> <p>BEING all of Lots 17 and 18 and part of Lot 16 (being all of Lot 16 except the part off the South side thereof, described in deed from W. C. Lackey to George F. McQueen dated June 10, 1927, recorded in Volume 985, Page 584, Deed Records of Tarrant County, Texas), in Block 5 of Park Hill, an addition to Fort Worth, Tarrant County, Texas, according to Plat recorded in Volume 388, Page 58, Deed Records of Tarrant County, Texas.</p>	<p>SC 3579-3582</p>	<p>A1604-07</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p><u>TRACT D:</u></p> <p>A part of Block 2 of June Smith Addition in Fort Worth in Tarrant County, Texas, and embracing the tract conveyed to Aardvark Oil Company by a deed recorded in volume 3230, page 249 of the deed records of Tarrant County, Texas.</p> <p>Beginning at a galvanized iron rod in the middle of the east line of Block 2 of June Smith Addition and the west line of Lamar Street and being the southeast corner of the United States of America courthouse tract; Thence south, along the east line of said Block 2 and the west line of Lamar Street, 51-75/100 feet to a galvanized iron rod inside a 1 inch pipe, the northeast corner of the tract conveyed to W.L. Hutt by a deed recorded in volume 1883, page 585 of the deed records of Tarrant County, Texas. Thence west 132-5/10 feet to a ½ inch pipe inside a 1 inch pipe, the northwest corner of said Hutt tract; Thence north 51-75/100 feet to a galvanized iron rod inside a 1 inch pipe, the northeast corner of the tract conveyed to W.L. Hutt by a deed recorded in volume 1877, page 303 of the deed records of Tarrant County, Texas, and being also in the south line of said United States of America courthouse tract; Thence east, along said south line, 132-5/10 feet to the place of beginning.</p>	<p>SC 3569-3571; SC 3572-3574</p>	<p>A1798-1800; A1795-97</p>
	<p><u>TRACT E:</u></p> <p>Lots 2 and 2A, Block 2, June Smith Addition to the City of Fort Worth, Tarrant County, Texas, commonly known as 914 Lamar St., Fort Worth, Texas 76102.</p>	<p>EX A2</p>	<p>A2217</p>
	<p><u>TRACT F:</u></p> <p>Lots 9 and 10, Block 10, Ridglea Addition to the City of Fort Worth, Tarrant County, Texas, commonly known as 6245 Locke Ave., Fort Worth, Texas.</p>	<p>EX A2</p>	<p>A2217</p>
<p><b>St. Andrew's (Grand Prairie)</b></p>	<p><u>TRACT A:</u></p> <p>All that certain tract, piece or parcel of land situate, lying and being in the County of Dallas, State of Texas, and more particularly described as follows, to-wit: Lot Number Six (6) in Block Number Two Hundred and Fifteen (215) of Dalworth Park Subdivision, Dallas</p>	<p>SC 3619-3620</p>	<p>A1615-16</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	County, Texas, an addition to the town of Grand Prairie, Texas, as per plat of said subdivision recorded in Volume One, Record 546-47, Plat or Deed records of Dallas County, Texas,		
	<u>TRACT B:</u> All that certain tract, piece or parcel of land situate, lying and being in the County of Dallas, State of Texas, and more particularly described as follows, to-wit: Lot Number Seven (7) in Block Number Two Hundred and Fifteen (215) Dalworth Park Subdivision, Dallas County, being a part of the town of Grand Prairie, Texas, said subdivision being recorded in Volume One, Pages 545-47, Plat or Deed Records of Dallas County, Texas.	SC 3623-3624	A1617-18
	<u>TRACT C:</u> All that certain tract, piece or parcel of land situate, lying and being in the County of Dallas, State of Texas, and more particularly described as follows, to-wit: All of Lot Eight (8), Block Two Hundred Fifteen (215), Dalworth Park Addition, an addition to the City of Grand Prairie, Texas, according to the Map thereof recorded in Dallas County, Texas.	SC 3616-3617	A1621-22
	<u>TRACT D:</u> All that certain tract or parcel of land situate, lying and being in the County of Dallas, State of Texas, and more particularly described as follows, to-wit: Situated in Dallas County, Texas, being LOT NINE (9) in BLOCK NO. 215, of DALWORTH PARK, an Addition to City of Grand Prairie, according to the Map thereof recorded in Dallas County, Texas.	SC 3618	A1993
	<u>TRACT E:</u> All that certain lot, tract, piece or parcel of land situate, lying and being the County of Dallas, State of Texas, and more particularly described as follows, to-wit: Situated in Dallas County, Texas, and being LOT TEN (10), in BLOCK TWO HUNDRED FIFTEEN (215), of DALWORTH PARK, now an Addition to the City of	SC 3621-3622	A1619-20

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	Grand Prairie, Texas, according to the Map thereof recorded in Volume 1, pages 546 and 547, of the Map Records of Dallas County, Texas.		
	<u>TRACT F:</u> BEING LOT 11 IN THE BLOCK 215 OF DALWORTH PARK ADDITION, AN ADDITION TO THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 546 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.	LEP 00297- 00299	A2183- 85
	<u>TRACT G:</u> BEING LOTS 13 AND 14 IN BLOCK 215 OF DALWORTH PARK ADDITION, AN ADDITION TO THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 546 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS. COMMONLY KNOWN AS: 736 & 730 COLLEGE STREET GRAND PRAIRIE, TEXAS 75050	LEP 00293- 00296	A2179- 82
	<u>TRACT H:</u> All that certain lot, tract, or parcel of land lying and being situated in Dallas County, Texas, being more particularly described as LOTS ONE (1) and TWO (2) in BLOCK 214 of DALWORTH PARK, an Addition to the City of Grand Prairie, according to the Map thereof recorded in Vol. 1, Pages 324 and 325, Map Records, Dallas County, Texas	LEP 00308- 00310	A2137- 39
	<u>TRACT I:</u> LOT 3, BLOCK 214, DALWORTH PARK ADDITION, an Addition to the City of Grand Prairie, Texas, according to the Revised Map thereof recorded in Volume 1, Page 546, Map Records, Dallas County, Texas; SAVE AND EXCEPT that part of said lot deeded to The City of Grand Prairie, by deed dated 3/30/79, recorded Volume 79070, Page 419, Deed Records,	LEP 00302- 00305	A2186- 89

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>Dallas County, Texas described as follows:            BEING a portion of Lot 3, Block 214, Dalworth Park Addition, an addition to the City of Grand Prairie, Texas, by deed filed in Volume 1, Page 546, Deed Records of Dallas County, Texas; said Lot 3, Block 214, being conveyed to the Church of Christ Spanish by deed filed in Volume 73052, Page 1011, Deed Records of Dallas County, Texas; said portion of Lot 3, Block 214, being more particularly described as follows:            BEGINNING at a point in the south line of Hill Street, a 50 foot right-of-way, South 49° 47' West 100.0 feet from the point of intersection of the south line of Hill Street and the west line of N.W. Eighth Street, a 53 foot right-of-way platted at a 50 foot right-of-way; said point of beginning being the northeast corner of Lot 3, Block 214;            THENCE, departing Hill Street with the east line of Lot 3, Block 214, South 0° 07' West 10.0 feet to a point for corner;            THENCE South 83° 47' West 50.0 feet to a point for corner in the west line of Lot 3, Block 214;            THENCE with the west line of Lot 3, Block, 214, North 0° 07' East 10.0 feet to a point for corner in the south line of Hill Street, said point being the northwest corner of Lot 3, Block 214;            THENCE with the south line of Hill Street North 89° 47' East 50.0 feet to the Point of Beginning;            Containing 300 square feet of land, more or less, of the 0365 square feet platted in Lot 3, Block 214, Dalworth Park Addition.</p>		
	<p><u>TRACT J:</u>            All that certain lot, tract, or parcel of land situate, lying and being in the County of Dallas, State of Texas, and being more particularly described as follows, to-wit:            Lot 19, Block 214, DALWORTH PARK ADDITION, an Addition to the City of Grand Prairie, Dallas County, Texas, according to the Map thereof recorded in Volume 1, Page 546, of the Map Records of Dallas County, Texas.</p>	LEP 00288- 00289	A2174- 75

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<u>TRACT K:</u>  BEING LOT 20 IN BLOCK 21, OF DALWORTH PARK ADDITION, AN ADDITION TO THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 546 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.	LEP 00290- 00292	A2176- 78
	<u>TRACT L:</u>  Lot 1A, Block 5, PARKVIEW PHASE 1B, an Addition to the City of Grand Prairie, Dallas County, Texas, according to Map or Plat recorded in Document No. 200600141936, Map Records, Dallas County, Texas.	LEP 00300- 00301	A2135- 36
	<u>TRACT M:</u>  Lot 5, Block 215, Dalworth Park Addition to the City of Grand Prairie, Reapp.-1984, Dallas County, Texas, commonly known as 717 Hill St., Grand Prairie, Texas 75050.		
	<u>TRACT N:</u>  Lot 12, Block 215, Dalworth Park Addition to the City of Grand Prairie, Dallas County, Texas, commonly known as 734 College St., Grand Prairie, Texas.	EX A2	A2221
	<u>TRACT O:</u>  Lot 20, Block 214, Park Addition to the City of Grand Prairie, Dallas County, Texas, commonly known as 802 College St., Grand Prairie, Texas.	EX A2	A2221
<b>St. Anne's (Fort Worth)</b>	<u>TRACT A:</u>  BEING a tract or parcel of land out of the C. Brown Survey, Abstract #157, situated in Tarrant County, Texas, and more particularly the same tract of Land conveyed by Fort Worth National Bank, Trustee, to C. Avery Mason, Bishop of the Diocese of Dallas of the Protestant Episcopal Church in the United States of America, as recorded in Volume 3815, Page 647, Deed	SC 3650- 3652	A1625- 27



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>Records, Tarrant County, Texas, and this parcel is described, as follows:  COMMENCING at the southwest corner of said Brown Survey thence East 513.1 feet and North 00 deg. 11' West 839.2 feet to an iron pin for the point of beginning of the tract herein described, said point of beginning being also the northwest corner of that certain United States of America parcel as recorded in Volume 2339, Page 69, Deed Records, Tarrant County, Texas, same being the most southerly southeast corner of that certain tract in said survey conveyed to Northwest Church of Christ in Volume 4700, Page 947, Deed Records, Tarrant County, Texas;  THENCE along the common line between this tract and the Northwest Church of Christ Tract, North 71 deg. 40' 30" West 108.57 feet to an iron pin and North 18 deg. 12' East 468.93 feet to a spike for corner in the South right-of-way line of Azle Avenue;  THENCE South 71 deg. 48' East along the South right-of-way line of Azle Avenue 395.08 feet to an iron pin for the northeast corner of this tract and also the northwest corner of that certain tract conveyed to Metropolitan Baptist Church as recorded in Volume 3656, Page 359, Deed Records, Tarrant County, Texas;  THENCE South 18 deg. 12' 30" West along the common line between this tract and the Baptist Church Tract 393.98 feet to an iron pin for the southeast corner of this tract and the southwest corner of the Baptist Church Tract, and in the north line of said United States of America tract;  THENCE North 86 deg. 30' 30" West along the common line between this tract and the United States of America Tract 296.17 feet to the point of beginning, and containing 4.007 Acres of Land, according to field notes by J.R. "Jim" Dunaway, Registered Public Surveyor, No. 970, dated January 12th, 1981.</p>		
<b>St. Anthony of Padua (Alvarado)</b>	<u>TRACT A:</u> Being a 2.22 acre tract of land out of the William Balch Survey, Abstract No. 48, Johnson County, Texas; part of 146.19 acre tract conveyed to Otis V. Percifield et al. as recorded in Volume 839, Page 590. Deed Records of Johnson County, Texas, and being more particularly	SC 2935 - 2941	A1994- 2000

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>described as follows: Beginning at a steel rod located at the intersection of the NORTH right-of-way line of U.S. Highway No. 67 and the West line of Percifield Trail, for a corner, said corner being 61.3 feet S 33' 04" W of the Southeast corner of said Percifield 149.19 acres acre tract:</p> <p>THENCE - _____ with the North line of said beginning and a SOUTH line of said 146.19 acre tract, at 36.7 feet pass a steel rod at a corner fence pose, for a corner; THENCE - __ 16' 54" W 40.0 feet to a steel rod at a corner fence post, for a corner; THENCE - __ 39' 24" W 368.0 feet with a fence line and the EAST line of a 40 foot road easement to a steel rod, for a corner; THENCE - W 83° 47' 15" E 570.13 feet to a steel rod at a corner fence post in the WEST line of Percifield Trail and in an East line of said 146.19 acre tract, for a corner; THENCE – S _____ 210.0 feet with the WEST line of said street to the place of BEGINNING containing 2.22 acre tract.</p> <p><u>SAVE AND EXCEPT</u> and there is hereby reserved unto Grantors, their heirs and assigns, an undivided one-half (1/2) interest in the oil, gas and other minerals in and under and that may be produced from the above property, together with the right of ingress and egress at all time for the purpose of mining.</p>		
<p><b>St. Barnabas (Keller)</b></p>	<p><u>TRACT A:</u></p> <p>Being approximately 5.608 acres of land in the J. EDMOND SURVEY, Abstract No. 457, in the City of Fort Worth, Tarrant County, Texas and more particularly described as follows:</p> <p>Being 5.608 acres of land located in the John Edmonds Survey, Abstract No. 457, Tarrant County, Texas, being a portion of TRACT III described in the deed to Parkway 38 Limited, a Texas limited partnership, recorded in Volume 13429, Page, 160, Deed Records, Tarrant County, Texas. Said 5.608 acres of land being more particularly described as follows:</p> <p>BEGINNING at an ½" iron rod stamped BEASLEY RPLS NO. 4050 set at the Southeast corner of said TRACT III, iron the North line corner of Lot 1, Block 2, Parkway at Park Glen, an addition to the City of Fort Worth, Tarrant County, Texas according to the plat</p>	<p>SC 3270-3275</p>	<p>A2001-06</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>recorded in Cabinet A, Slide 5161, Plat Records, Tarrant County, Texas, said iron rod lying S89°26'04"W, a distance of 0.57 feet from a ½" iron rod found at the Northeast corner of said Lot 1;</p> <p>THENCE S89°26'04"W. along the North line of said Block 2, at a distance of 442.50 feet passing a 5/8" iron rod found at the Northwest corner of Lot 7 in said Block 2, being the Northeast corner of Lot 8, Block 2, Parkwood Estates an addition to the City of Fort Worth, Tarrant County, Texas according to the plat recorded in Cabinet A, Slide 4458, Plat Records, Tarrant County, Texas, in all continuing along the North line of said Parkwood Estates a distance of 697.62 feet to an ½" iron rod stamped BEASLEY RPLS No. 4050 set at the Southeast corner of Lot 14 in said Block 2, Parkwood Estates, said ½" iron rod being the Southwest corner of said TRACT III;</p> <p>THENCE N00°31'07"W, a distance of 431.02 feet along the East line of said Block 2, Parkwood Estates to an ½" iron rod stamped BEASLEY RPLS No. 4050 set from which a 5/8" iron rod found at an angle point in said Last line bears N00°31'07"W a distance of 48.98 feet;</p> <p>THENCE N89°38'28"E, a distance of 501.26 feet to an ½" iron rod stamped BEASLEY RPLS No. 4040 set in the East line of said Tract III;</p> <p>THENCE along said East line of TRACT III as follows:</p> <ol style="list-style-type: none"> <li>1. Southerly, 413.57 feet along a non tangent curve to the left, having a radius of 640.00 feet, a central angle of 37°01'30" and a chord bearing S22°28'10"E, 406.41 feet to an ½" iron rod stamped BEASLEY BPLS No. 4050 set;</li> <li>2. S40°58'56"E, a distance of 68.48 feet to the point of beginning, containing 5.608 acres of land, more or less.</li> </ol>		
<p><b>St. Christopher's (Fort Worth)</b></p>	<p><u>TRACT A:</u></p> <p>Lot "B," in Block FORTY-ONE (41), South Hills, an addition to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Vol. ____, Page ____ File No. 45114 dated July 29, 1958 of the Plat Records of Tarrant County, Texas.</p>	<p>SC 3416-3418</p>	<p>A1628-30</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>St. Elizabeth's (Fort Worth)</b>	<u>TRACT A:</u>  Being a tract or parcel of land out of the N.H. CARROLL SURVEY situated in Tarrant County, Texas and being more particularly the south part of a tract known as Tract 25 as recorded in Vol. 2823, page 387, the south part of a tract known as Tract 24 as recorded in Vol. 2598, page 103; the south part of a tract known as Tract 23 as recorded in Vol. 2196, page 374, all in the Deed Records of Tarrant County, Texas, said part of the three Tracts being described as one by metes and bounds as follows: BEGINNING at the Southeast corner of said Tract 25, said corner being 979 vrs. South and 1134.3 vrs. West of the Northeast corner of said N.H. Carroll Survey; said corner also being 419.4 feet west of the Southeast corner of a 20 acre tract of land deeded to J.M. Border by W.Z. Castleberry on Sept. 19, 1901, said deed recorded in Vol. 162, page 299, Deed Records, Tarrant County, Texas; THENCE South 88 degrees 50 minutes West 87.5 feet to an iron for corner; THENCE North 527.3 feet to an iron for corner; THENCE North 86 degrees 18 minutes East, at 87.5 feet a fence on line in all 324.8 feet to an iron in fence line; THENCE South along said fence line 537.2 feet to a "Y" cut in concrete curb for corner, said curb being the North curb line of Black Oak Lane; THENCE South 89 degrees 53 minutes West 237 feet to an iron for corner; THENCE South 8.2 feet to the point of beginning and containing 3.938 acres of land.	SC 3420-3423	A1631-34
<b>St. Francis of Assisi (Weatherford)</b>	<u>TRACT A:</u>  SURFACE ESTATE ONLY in and to Block 36, EL CHICO ADDITION, a subdivision in Parker County, Texas, recorded in Vol. 277, Page 258, Deed Records, Parker County, Texas.	SC 3199-3202	A2007-10
	<u>TRACT B:</u>  SURFACE ESTATE ONLY IN AND TO all that certain lot, tract of parcel of land lying, and being situated in Parker County, Texas and being Block 37, of EL CHICO addition to the City of Willow Park, Parker	SC 3203-3206	A2011-14

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>County, Texas, recorded in Vol. 277, Page 258, Deed Records, Parker County, Texas.</p> <p>SAVE AND EXCEPT an undivided ½ of the customary landowners oil royalty interest; such reservation to consist of a non-participating royalty of 1/16 under any oil, gas and mining lease as set out in Warrant Deed, dated July 28, 1952, executed by C. C. Whitaker and wife, to L. B. Mayfield, Trustee, recorded in Volume 254, Page 445, Deed Records of Parker County.</p> <p>SAVE AND EXCEPT an undivided ½ interest in and to all oil, gas and other minerals conveyed by O. P. Leonard, Trustee, to O.P. Leonard, JR., et al by Warranty Deed dated December 26, 1961, recorded in Volume 436, Page 168, Deed Records of Parker County, Texas.</p>		
<p><b>St. Gregory's (Mansfield)</b></p>	<p><u>TRACT A:</u></p> <p>BEING 4.304 acres of land situated in the HENRY McGHEE SURVEY, ABSTRACT Number 998, Tarrant County and being a portion of that certain parcel of land conveyed by deed to Mansfield-Walnut Creek Development Corporation, as recorded in Volume 5975, Page 466, Tarrant County Deed Records, and being more particularly described as follows:</p> <p>BEGINNING at a 5/8 inch iron set in the Southerly right-of-way line of Clover Hill Road, a 60.0 foot wide public street, said iron being the Northwest corner of Lot 1, Block 20, Section VI, Walnut Creek Valley, an Addition to the City of Mansfield Tarrant County, Texas, as recorded in Volume 388-107, Page 37, Tarrant County Plat Records, said iron also being in the centerline of a 40.0 foot easement granted to Lone Star Gas by Volume 4686, Page 282, Tarrant County Deed Records;</p> <p>THENCE S29°43'53" E, 687.67 feet to a 60 penny nail set in the centerline of Country Club Drive for corner;</p> <p>THENCE S60°52'08" W, 362.90 feet along the centerline of Country Club Drive to a P.K. Nail set for corner;</p> <p>THENCE N23°41'50" w, 257.21 feet along and near the centerline of a drainage channel to a 5/8 inch iron found for corner, said iron being the Southwest corner of Lot 10, Block 20, Walnut Creek Valley;</p>	<p>SC 3338-3342</p>	<p>A1635-39</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>THENCE N02°04'30" W, 519.5 feet to a 5/8 inch iron found in the Southerly right-of-way line of said Clover Hill Road, said iron being the Northwest corner of said Lot 10, and iron being in a curve to the left whose radius is 1012.21 feet and whose long chord bears N78°58'28" E. 99.96 foot;</p> <p>THENCE along said Southerly line of said Clover Hill Road and along said curve to the left in an easterly direction through a central angle of 05°39'36" a distance of 100.00 feet the PLACE OF BEGINNING and containing 4.304 acres of land, more or less</p> <p>SAVE AND EXCEPT MINERALS as reserved in Warrant Deeds recorded in Volume 2195, Page 423, Volume 2195, Page 426 and Volume 2950, Page 116, Deed Records, Tarrant County Texas</p>		
<p><b>St. John's (Brownwood)</b></p>	<p><u>TRACT A:</u></p> <p>Being situated in Brown County, Texas, a part of the W.H. Irion Survey No. 52, and being a part of Out Lot No. 268 in the City of Brownwood and described as follows:</p> <p>Beginning at the north corner of said Out Lot No. 268;</p> <p>Thence Southwest with the S.E. line of Main Ave 221 feet to corner of a tract of 70 x 200 feet formerly conveyed by Jas. R. Caldwell Jr. et al to Bert Norwood;</p> <p>Thence Southeast parallel with N.E. line of Out Lot 268, 200 feet to N.W. line of Clark Street.</p> <p>Thence Northeast with said line, of Clark Street 221 feet to East corner of Out Lot 268.</p> <p>Thence Northwest 200 feet to place of beginning, and being the same land conveyed by Jas. R. Caldwell and others to Brownwood Independent School District by deed of date May 12, 1921, recorded in Volume 177, Page 106 of the Deed Records of Brown County, Texas.</p> <p>SAVE AND EXCEPT a 0.0180 acre tract of land in Brown County, Texas, said tract being out of the W.H. Irion Survey No. 52, Abstract No. 537, and also being part of Outlot 268, said tract also being part of a tract described in a resolution from the Brownwood Independent School District to Rev. C. Avery Mason as filed in Volume 491, Page 250, Real Property Records of Brown County, Texas, said 0.0180 acre tract being more fully described as follows:</p>	<p>SC 2957-2959</p>	<p>A1640-42</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>BEGINNING at an iron stake in the ground, said stake being located S 43 deg 37 min 14 sec W 332.87' along the Southeast line of Main Street from the North corner of Block 21 of the Rankin Addition to the City of Brownwood, Texas;            THENCE S 48 deg 13 min 00 sec E 112.00' to an iron stake in the ground;            THENCE S 43 deg 37 min 14 sec W 7.00' to an iron stake in the ground;            THENCE N 48 deg 13 min 00 sec W 112.00' to an iron stake found in the ground in the Southeast line;            THENCE N 43 deg 37 min 14 sec E 7.00' along said Southeast line to the place of BEGINNING.</p>		
	<p><u>TRACT B:</u></p> <p>Being a 100 feet x 100 feet tract in the South corner of Block No. 20, Rankin Addition, an unrecorded Plat Addition to the City of Brownwood, and the same tract consisting of two tracts, a 50 feet x 100 feet tract conveyed from Robert Colvin and wife to Southern Savings and Loan Association by Warranty Deed dated March 23, 1978, recorded in Volume 727, Page 905, and the second tract, a 50 feet x 100 feet tract conveyed from Don Jordan, Jr. to Southern Savings and Loan by Warranty Deed dated September 9, 1977, recorded in Volume 716, Page 337 of the Deed of Records of Brown County, Texas, and described by metes and bounds as follows:            BEGINNING at the South corner of Block 20 and the intersection of Depot Street and Clark Street, a 40d nail set in the asphalt pavement for the South corner of this tract; THENCE N 48 degrees 16' 20" W 100.00 feet along the NE line of Depot Street to a railroad spike set in the ground for the West corner of this tract; THENCE N 45 degrees E 100.00 feet parallel to Clark Street and along a chain link fence to a nail set in concrete for the North corner of this tract; THENCE S 48 degrees 16' 20" E 100.00 feet parallel to Depot and Adams Street to a railroad spike set in the asphalt at the NW line of Clark Street for the East corner of this tract; THENCE S 45 degrees W 100.00 feet along the NW line of Clark Street to the point of beginning.</p>	SC 2960-2962	A2015-17

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>St. John the Divine (Burkburnett)</b>	<u>TRACT A:</u> 1.50 acres of land out of the C. Winters Survey, Abstract 322, Wichita County, Texas, described by metes and bounds as follows: BEGINNING at a point 471.0' South and 1662.0' East of the Northwest corner of the C. Winters Survey, Abstract 322, Wichita County, Texas, said point also being on the East line of Berry Street; THENCE North 89°-12' East, 250.0 feet to a point; THENCE South 00°-44' West, 261.4 feet to a point; THENCE South 89°-12' West, 250.0 feet to a point on the East line of Berry Street; THENCE North 00°-14' East, with the East line of Berry Street, 261.4 feet to the place of beginning, and containing 1.50 acres of land.	SC 2891-2892	A1643-44
	<u>TRACT B:</u> Being a tract of land out of the C. Winters Survey, Abstract 322, described by metes and bounds as follows; BEGINNING at a point 732.4 feet South and 1662.0 feet East of the Northwest corner of said survey, said point being on the East line of Berry Street, Burkburnett, Texas; Thence N 89° 12' E 250 feet to a point; thence S 00° 44' W 75 feet; thence S 89° 12' W 250 feet to a point in said Berry Street; thence N 00° 14' E along said Street 75 feet to the point of beginning.	SC 2891-2892	A1643-44
<b>St. John's (Fort Worth)</b>	<u>TRACT A:</u> Being Lot 1, Lot 2, Lot 4, and the West 23 feet of Lot 5, Block 4, R.M. PAGE ADDITON, Second Revised, an addition to the City of Fort Worth, Tarrant County, Texas according to the Revised plat thereof recorded in Volume 63, Page 142 Plat Records of Tarrant County, Texas.	SC 3725-3734	A2027-36
	<u>TRACT B:</u> Lot 3, Block 25, FAIRMOUNT ADDITION to the City of Fort Worth, Tarrant County, Texas, according to the Plat recorded in Volume 63, Page 25, Plat Records, Tarrant County, Texas.	SC 1230-1232	A1859-61



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<u>TRACT C:</u> Lot No. 5, in Block No. 8, Ryan Place Addition to the City of Fort Worth, Tarrant County, Texas, as shown by the map or plat of such Addition on file in the Office of the County Clerk of Tarrant County.	SC 1174-1177	A1649-52
	<u>TRACT D:</u> Lot 19, Block 4, ENGLEWOOD HEIGHTS ADDITION to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 30, Page 67, Deed Records of Tarrant County, Texas (which property is known as 3213 Crenshaw Avenue, Forth Worth, Texas).	SC 1275-1276	A1857-58
<b>St. Joseph's (Grand Prairie)</b>	<u>TRACT A:</u> BEING a tract or parcel of land situated in the City of Grand Prairie, Dallas County, Texas; and being part of the Thomas J. Tone Survey, Abstract Number 1460; and being part of that tract of land described as "Tract B" conveyed to G.P. Investment Partners, Ltd. by Deed recorded in Volume 83212, Page 1680, Deed Records, Dallas County, Texas; and being more particularly described as follows: COMMENCING at a point for corner at the intersection of the North Line of a 150 foot wide easement conveyed to Texas Electric Service Company as recorded in Volume 219, Page 1376, Deed Records, Dallas County, Texas, with the East line of Carrier Parkway (110 foot wide Right-of-Way), said point also being the Southwest corner of Westchester Phase Two, an addition to the City of Grand Prairie as recorded in Volume 85160, Page 2255. Deed Records, Dallas County, Texas; THENCE South 07°44'20" West continuing along the East line of said Carrier Parkway a distance of 739.52 feet to a point for corner at the beginning of a curve to the right whose chord bears South 23°54'54" West; THENCE in a Southerly direction continuing along the East line of said Carrier Parkway and along said curve to the right having a central angle of 32°21'09", a radius of 1755.00 feet, and an arc length of 990.97 feet to a point for corner; THENCE South 40°05'28" West continuing along the	SC 3277-3297	A2039-59

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>East line of said Carrier Parkway a distance of 1132.88 feet to a one-half inch iron rod set for corner, being the POINT OF BEGINNING;</p> <p>THENCE South 49°54'32" East a distance of 521.10 feet to a one-half inch iron rod set for corner;</p> <p>THENCE South 68°00'00" West along the South line of said G.P. Investment Partners, Ltd., tract and along the Westerly North line of a tract of land described as "Tract One" conveyed to Vineyard Investment Partnership, Ltd., by General Warranty Deed recorded in Volume 84251, Page _____, Deed Records, Dallas County, Texas, a distance of 314.05 feet to a one-half inch iron rod set for corner;</p> <p>THENCE North 5_°00'00" West continuing along the South line of said G. P. Investment Partners, Ltd. . . .</p> <p>THENCE . . . (as conveyed in deed from G.P. Investment Partners, Ltd. to Corporation of the Episcopal Diocese of Fort Worth, dated March 31, 1987)</p>		
<p><b>St. Laurence's (Southlake)</b></p>	<p><u>TRACT A:</u></p> <p>Being that certain tract of land situated in the Samuel Freeman Survey, Abstract No. 525, City of Southlake, Tarrant County, Texas, being a portion of that certain tract of land described in deed to Walter Starkey and wife, Gertrude Starkey as recorded in Volume 3242, Page 317, of the Deed Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:</p> <p>BEGINNING at a found one-half inch iron rod on the east line of N. Kimball Avenue, said iron rod being the northwest corner of this tract and being the western most southwest corner of that certain tract of land described in deed to Earnest E. Taylor, Jr. as recorded in Volume 8348, Page 1174, of said Deed Records;</p> <p>THENCE North 88 degrees 41 minutes 58 seconds East (Deed = East), a distance of 410.60 feet along a common line of said Starkey tract and said Taylor tract to a found one-half inch iron rod, said iron rod being the northeast corner of said Starkey tract and being an interior corner of said Taylor tract;</p> <p>THENCE South, a distance of 100.00 feet along a common line of said Starkey tract and said Taylor tract to a found one-half inch iron rod, said iron rod being the</p>	<p>SC 3311-3315</p>	<p>A2060-64</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>southeast corner of said Starkey tract and being on the north line of Lot 1R, Block 1, of Saint Laurence Episcopal Church Addition, an addition to the City of Southlake according to the plat thereof recorded in Cabinet A, Slide 3900, of the plat records of Tarrant County, Texas;</p> <p>THENCE South 88 degrees 41 minutes 58 seconds West (Deed = West), a distance of 410.60 feet along the common line of said Starkey tract and said Lot 1R, Block A to a point from which a found one-half inch iron rod bears North 13 degrees 58 minutes 02 seconds West, a distance of 0.94 feet, said point being on the aforesaid east line of N. Kimball Avenue and being the southwest corner of this tract;</p> <p>THENCE North, a distance of 100.00 feet along the said east line of N. Kimball Avenue to the POINT OF BEGINNING and containing 41,049 square feet or 0.942 of one acre of land.</p>		
	<p><u>TRACT B:</u></p> <p>All that certain tract or parcel of land situated in the SAMUEL FREEMAN SURVEY, Abstract No. 525, Tarrant County, Texas, and being the tract of land conveyed by Loyd R. Smith to Reeder A. Cummings and wife, Sue Cummings, recorded in Volume 3323, Page 251, Deed Records, Tarrant County, Texas, and being more particularly described as follows:</p> <p>BEGINNING at a point 2,640 feet North of the Southwest corner of the said Samuel Freeman Survey;</p> <p>THENCE East 632.7 feet to an iron pin for corner;</p> <p>THENCE South 206.5 feet to an iron pin for corner;</p> <p>THENCE West 632.7 feet to a point in Kimball Road, also known as County Road No. 3119;</p> <p>THENCE North 206.5 feet to the POINT OF BEGINNING.</p>	SC 3316-3318	A2065-67
	<p><u>TRACT C:</u></p> <p>Being a tract of land situated in Tarrant County, Texas, and being a part of the SAMUEL FREEMAN SURVEY, Patent 875, Volume 13, and being described as follows:</p> <p>BEGINNING at a point situated 2,214.4 feet North of the Southwest corner of said Samuel Freeman Survey.</p>	SC 3307-3310	A1659-62

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>THENCE North 219.1 feet to a point for corner;            THENCE East passing a ½" iron pin at a distance of 41.0 feet, said iron pin being situated in the East R.O.W. line of Kimball Road, then proceeding a distance of 632.7 feet in all to a ½" iron pin for corner;            THENCE South 220.0 feet to a ½" iron pin for corner;            THENCE North 89 degrees 55 minutes West passing a ½" iron pin at a distance of 591.7 feet, said iron pin being situated in the East R.O.W. line of Kimball Road, then proceeding a distance of 632.7 feet in all to PLACE OF BEGINNING and CONTAINING 3.19 acres of land, with 0.21 acres of land in Public Roads.</p>		
	<p><u>TRACT D:</u>             Lot 1R, Block A, Saint Laurence Episcopal Church Addition to the City of Grapevine, Tarrant County, Texas, commonly known as 517 N. Kimball Ave., Grapevine, Texas 76092.</p>	EX A2	A2218
<p><b>St. Luke's (Mineral Wells)</b></p>	<p><u>TRACT A:</u>             Being all of Lots 1, 2, and 4, the East one-half (E/2) of Lot 3, and the East one-half (E/2) of Lot 6, all in Block 4, Slaughter &amp; Barber West Addition to the City of Mineral Wells, Palo Pinto County, Texas.</p>	SC 3163-3165, SC 3153-3155, SC 3186-3187	A1663-65; A1666-68; A2068-69
	<p><u>TRACT B:</u>             Lot Eighteen (18), NORTHWOODS ADDITION (Replat) to the City of Mineral Wells, Texas as shown by the Plat of record in Volume 2, Page 109, Plat Records of Palo Pinto County, Texas; SAVE AND EXCEPT 1/8 of 1/8 of the minerals in and under the above described tract as reserved in a deed from Rosa Half Barnet to E. B. Ritchie, recorded in Volume 183, Page 442, Deed Records of Palo Pinto County, Texas, reference to which is here made for a complete description of such mineral reservation.</p>	SC 0122-0123	A1673-74
	<p><u>TRACT C:</u>             BEING all of Lot 1, Subdivision "F", in Block 32 of the Wiggins Addition to the City of Mineral Wells, Palo</p>	SC 3161-3162	A2070-71

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>Pinto County, Texas; said property more full described as follows, to-wit:            BEGINNING at the Northwest corner of said Block No. 32 in said Addition:            THENCE South 100 feet to a corner;            THENCE East 100 feet to a corner;            THENCE North 100 feet to a corner;            THENCE West 100 feet to the place of beginning.</p>		
	<p><u>TRACT D:</u></p> <p>All that certain lot, tract or parcel of land lying and being situated in Palo Pinto County, Texas, and being a part of Block Number Thirty-Two (32) of the Wiggins Addition to the City of Mineral Wells, Palo Pinto County, Texas, and being more particularly described by metes and bounds as follows, to-wit:            BEGINNING at the Southwest Corner of said Block No. 32; THENCE East 100 feet to corner; THENCE North 100 feet to corner; THENCE West 100 feet to corner; THENCE South 100 feet to the place of beginning. And being the same property described in the Deed from Betty J. Wall, et vir, to Tom A. Whitley, dated March 29, 1972; recorded in Vol. 406, Page 218 of the Deed Records of Palo Pinto County, Texas, to which instrument, and the record thereof, reference is here made for all purposes.</p>	SC 3159-3160	A1669-70
	<p><u>TRACT E:</u></p> <p>All that certain lot, tract or parcel of land lying and being situated in Palo Pinto County, Texas, and being Lots 10, 11, and 12 of Block 77 and Lot 1 of Block 74 of the Oran No. 3 Addition to the City of Mineral Wells, Palo Pinto County, Texas.</p>		
St. Luke's (Stephenville)	<p><u>TRACT A:</u></p> <p>Lots 1, 2, 3, 5, 6, 7, and 8, Block 16, of the College Heights Addition to the City of Stephenville, Erath County, Texas, according to King's 1956 Map of Stephenville, adoption thereof recorded in Vol. 381, page 105, Deed Records of Erath County, Texas.</p>	SC 3049-3059	A1865-75

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p><u>TRACT B:</u></p> <p>All that certain tract of land out of the College Heights Addition, an Addition to the City of Stephenville, Erath County, Texas, according to King's 1956 Map of Stephenville, adoption thereof recorded in Volume 581, Page 105, Deed Records, Erath County, Texas, being all of Lots 4, 4A and a portion of Lot 3, all in Block 20 of said addition, being more particularly described by metes and bounds as follows:</p> <p>Beginning at an "X" set in a rock column, at the intersection of the southeast right of way line of W. Sloan Street and the southwest right of way line of N. Ollie Avenue, also being the north corner of said Lot 4;</p> <p>Thence S.80°20'35"E. (Base Bearing), along the southwest line of said N. Ollie Avenue and the northeast line of said Block 80, a distance of 151.20 feet to an "X" set in a rock retaining wall, in the northeast line of said Lot 4;</p> <p>Thence S.59°20'25"N. across said Lot 4, a distance of 136.40 feet to a 1/2 " rebar rod set with a cap stamped RPLS 1955 in the northeast line of Lot 6, Block 20 of said College Heights Addition;</p> <p>Thence N.30°20'35"N., along the northeast line of said Lot 6, a distance of 20.00 feet to a 1/2" rebar rod set with a cap stamped RPLS 1985 in the southeast line of said Lot 3;</p> <p>Thence S.59°39'25"N. across, along the southeast line of said Lot 3, a distance of 30.00 feet to a 1/2" rebar rod set with a cap stamped RPLS 1983;</p> <p>Thence N.30°20'35"N., across said Lot 3, a distance of 60.00 feet to a 1/2" rebar rod set with a cap stamped RPLS 1983 (control monument);</p> <p>Thence S.59°39'25"N., across said Lot 3, a distance of 109.50 feet to a 1/8" rebar rod set with a cap stamped RPLS 1983, in the northeast line of N. McILhaney Avenue and the southwest line of said Lot 3;</p> <p>Thence N.30°20'35"N., along the northeast line of N. McILhaney Avenue and the southwest line of said Lot 3, a distance of 51.20 feet to a 1/2" rebar rod set with a cap stamped RPLS 1983 (control monument) at the intersection of the southeast right of way line of said T. Sloan Street and the northeast right of way line of said N. McILhaney Avenue, being the most western corner of</p>	SC 3049-3059	A1865-75

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	said Lot 3; Thence N.59°39'25"E., along the southeast right of way line of said T. Sloan Street and the northwest line of said Block 20, a distance of 276.50 feet to the Point of Beginning and containing 25,938 square feet more or less.		
<b>St. Luke-in-the-Meadow (Fort Worth)</b>	<u>TRACT A:</u> Being in the County of Tarrant, State of Texas, and more particularly described as follows, to-wit: Lots 1, 2, 3, 17, 18, and 19, in Block No. 1 of Meadowbrook Addition to the City of Fort Worth, in Tarrant County, Texas, according to the recorded plat thereof of record in Volume 1944, Pages 43 – 44 of the Deed Records of Tarrant County, Texas, and subject to the easements and building lines shown in said plat.	SC 3451-3456	A1676-81
	<u>TRACT B:</u> Lot 4, Block 1, MEADOWBROOK ADDITION, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Volume 1944, Page 43, of the Deed Records of Tarrant County, Texas.	LEP 00447-00449	A2190-92
	<u>TRACT C:</u> Lot 1A, Block 1, Meadowbrook Addition to the City of Fort Worth, Tarrant County, Texas, commonly known as 4301 Meadowbrook Dr., Fort Worth, Texas 76103.	EX A2	A2226
	<u>TRACT D:</u> Lot 16A, Block 1, Meadowbrook Addition to the City of Fort Worth, Tarrant County, Texas, commonly known as 4312 Lambeth Lane, Fort Worth, Texas 76103.	EX A2	A2226
<b>St. Mark's (Arlington)</b>	<u>TRACT A:</u> BEING a part of the James Hyden Survey, Tarrant County, Texas, and part of a 46.36 acre tract described in deed to J.J. Randol by Jane Sutton, of record in Volume 2718, Page 216, Deed Records of Tarrant County, Texas;	SC 3235-3236	A1682-83

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>the herein conveyed tract being described as follows:            BEGINNING at an iron pin in the South line of said tract and at the SE corner of Lot 1, Block 9, SOUTHRIDGE PARK ADDITION to Arlington, Texas;            THENCE North 21 deg. 06 min. West along the East line of Southridge Park Addition 335.0 feet to an iron pin at the SW corner of Block 5, Glynn Oaks Addition to Arlington, Texas;            THENCE South 89 deg. 30 min. East along said South line of Glynn Oaks Addition 533.0 feet to an iron pin for corner at the SE corner of Lot 10, Block 4, Glynn Oaks Addition;            THENCE South along the West line of a 3.82 acre tract 155.0 feet to an iron pin for corner at the SW corner of said tract;            THENCE South 89 deg. 30 min. East along said South line of 3.82 acre tract 409.6 feet to an iron pin for corner;            THENCE South 155.0 feet to an iron pin for corner in the South line of said 46.36 acre tract;            THENCE North 89 deg. 36 min. West along said South line 822.0 feet to place of BEGINNING.</p>		
	<p><u>TRACT B:</u>             Lot 1, Block A, Saint Mark's Addition to the City of Arlington, Tarrant County, Texas, commonly known as 2024 S. Collins St., Arlington, Texas 76010.</p>	EX A2	A2218
<p><b>St. Martin-In-The-Fields (Southlake)</b></p>	<p><u>TRACT A:</u>             Being Lot 1-R, Block 1, ST. MARTIN-IN-THE-FIELDS ADDITION, an addition to the City of Southlake, Tarrant County, Texas according to the revised plat thereof recorded in Cabinet A, Slide 8246, Plat Records of Tarrant County, Texas.</p>	SC 3372-3375	A1880-83
	<p><u>TRACT B:</u>             A tract of land out of the J.G. Allen Survey, Abstract 18, Tarrant County, Texas, and out of a 70 acre tract of land conveyed to Harold Pipes by deed recorded in Volume 1738, Page 86 Tarrant County Deed Records.            BEGINNING at an iron pin set in the west line of the said Allen Survey and in the west line of the said Pipes</p>	SC 3344-3347	A1876-79



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	tract, said point being located in the centerline of Pearson Lane (County Road 4041) and being 1071.9 feet north of the southwest corner of said Allen Survey; THENCE NORTH 0 deg. 18 min. West with the centerline of said road and the west line of the Allen Survey, a distance of 727.8 feet to an iron pin set for a corner; THENCE NORTH 89 deg. 43 min. East, at 21.5 feet an iron pin set in a fence, in all 740.85 feet to an iron pin set for a corner; THENCE SOUTH 0 deg. 09 min. East, 727.7 feet to an iron pin set for a corner; THENCE SOUTH 89 deg. 43 min. West at 717.55 feet, an iron pin set in fence, in all 739.05 feet to the point of beginning and containing 12.36 acres of land total and having 0.36 acres in public roadway.		
	<u>TRACT C:</u>  Lot 10, Block 14, WOODLAND WEST ESTATES, FIFTH FILING, AN Addition to the City of Arlington, Tarrant County, Texas, according to plat recorded in Volume 388-43, Page 83, Deed Records of Tarrant County, Texas.	LEP 00476- 00479	A2193- 96
<b>St. Mary's (Hamilton)</b>	<u>TRACT A:</u>  All that certain tract, piece or parcel of land situate, lying and being in the County of Hamilton, State of Texas, and more particularly described as follows, to-wit: Lot No. (3) Three of Block No. (8) Eight of the original or first Division of the Town of Hamilton as shown by the plot of said Town. Together with all and singular the rights, members, hereditaments and appurtenances to the same belonging or in anywise incident or appertaining.	SC 3028- 3030	A1684- 86

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>St. Mary's (Hillsboro)</b>	<p>TRACT A:</p> <p>All the certain tract, piece, or parcel of land situate, lying and being in the County of Hill, State of Texas, and more particularly described as follows, to-wit: A part of the J. E. Ross League and Labor of land, in Hill County, Texas, said tract of land hereby conveyed, being a town-lot and a part of the Craig Addition to the Town of Hillsboro and being further known as Lot No. 38 (Thirty-Eight) of a subdivision of said Craig addition into Town Lots. Said Lot No. 38 is further described as follows: Beginning at a rock, Corner of Abbot &amp; Craig Streets said cor. being 60 ft. north of the N.W. Cor. of Lot No. 27. Thence North with the East line of Abbot Street 250 ft. to rock for cor. 33¼ ft. South of the S. W. Cor. of Lot No. 34, the Corner of Abbot Street and of alley; Thence East with said alley 125 ft. to rock for corner; Thence South 250 ft. to rock for cor. on North line of Craig Street; Thence West with North line of Craig Street 125 feet to beginning.</p>	SC 3033-3035	A1687-89
<b>St. Matthew's (Comanche)</b>	<p>TRACT A:</p> <p>All that certain lot, tract or parcel of land situated in the City of Comanche, Comanche County, Texas, out of Block No. 18, Walcott Addition to the City of Comanche, Texas, and being the same land conveyed from Thomas W. Wilhelm, et ux, to Kenneth White, et ux, and of record in Volume 339, Page 400, Deed Records of Comanche County, Texas, and further described as follows:</p> <p>BEGINNING at the Northwest corner of said Block No. 18, for the Northwest corner of this tract, from which an iron stake bears 2 feet East; THENCE East 145 feet with the North line of said Block No. 18, and the South line of Walcott Avenue, an iron stake for the Northeast corner; THENCE South 120 feet with an old fence to an iron rod for the Southeast corner of this tract; THENCE West 145 feet to the East line of North Austin Street and the West line of said Block No. 18, for the Southwest corner of this, from which an iron stake bears East 2 feet; THENCE North 120 feet with said lines to the point of beginning.</p>	SC 2997-2998	A2093-94

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p><u>TRACT B:</u></p> <p>A tract of land being a part of Block 94 of WRIGHTS ADDITION to the town of Comanche, Texas, and described by metes and bounds as follows:  <u>BEGINNING</u> at the Northwest corner of said Block 94, for the NW corner of this;  <u>THENCE</u> South 262-1/2 feet; <u>THENCE</u> East 150 feet; <u>THENCE</u> North 262-1/2 feet; <u>THENCE</u> West 150 feet to the place of beginning.  <u>LESS AND EXCEPT:</u></p> <p>1. a tract of land conveyed by N.N. Durham to James E. Foreman, on September 5, 1969, and described in Warranty Deed recorded in Volume 355, Page 83, Deed Records of Comanche County, Texas.  2. a tract of land conveyed by N.N. Durham to E.E. Coyle on October 12, 1970, and described in Warranty Deed recorded in Volume 363, Page 395. Deed Records of Comanche County, Texas.  Being that same land and premises described in Warranty Deed from Jimmy L. Davis and wife, Jerri L. Davis of record in Volume 560, Page 480, of the Deed Records of Comanche County, Texas, to which reference is here made for all legal purposes.</p>	SC 3717-3723	A2101-2107
	<p><u>TRACT C:</u></p> <p>Southwest ¼ of Block 18, Tract 6, Walcott Addition to the City of Comanche, Comanche County, Texas, commonly known as 500 N. Austin, Comanche, Texas 76442.</p>	EX A2	A2220
<b>St. Michael's (Richland Hills)</b>	<p><u>TRACT A:</u></p> <p>Lots SIXTEEN (16) and SEVENTEEN (17) IN BLOCK 17 of RICHLAND HILLS, Third Filing, an addition to the City of Fort Worth, Tarrant County, Texas, (now to Richland Hills) according to plat records in Book 1646, page 539, Deed Records of Tarrant County, Texas.</p>	SC 3267-3268	A1690-91
<b>St. Patrick's (Bowie)</b>	<p><u>TRACT A:</u></p> <p>All that certain tract or parcel of land situated in Montague County, Texas, and being a 0.687 acre tract of</p>	SC 2878-2881	A1692-95

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>land in T E &amp; L Co Survey No 2856, A-784, Montague County, Texas, and being part of a 170 acre tract described in deed from Lancaster Ould to J.C. Baccus recorded in Vol. R. Page 411, Deed Records, Montague County, Texas, and being more particularly described as follows:</p> <p>BEGINNING at an iron rod in the west line of U S Hwy 81, at the northeast corner of a 0.61 acre tract described in deed from A.C. Baccus to Frank Underwood recorded in Vol. 342, Page 571, Deed Records, Montague County, Texas; said beginning point being North 350.0 feet and West 34.4 feet from the southeast corner of said Survey No. 2856; THENCE N. 01° 43' W. along the west line of said Hwy. 81, 90.0 feet to an iron rod; THENCE S. 85° 30' W. 106.0 feet to an iron rod; THENCE N. 01° 43' W, 5.0 feet to an iron rod; THENCE S. 85° 30' W., at 240.5 feet to an iron rod in a fence, in all 241.7 feet to the easterly line of a one acre tract described in Vol. 299, Pg. 375, Deed Records, Montague County, Texas; THENCE S. 31° 43' E. along the easterly line of said one acre tract, 106.7 feet to the northwest corner of said Frank Underwood 0.61 acre tract; THENCE N. 85° 30' E. along the north line of said 0.61 acre tract, at 1.2 feet an iron rod, in all 294.3 feet to the Point of Beginning. Containing 0.687 acres of land of which 113.86 square feet is under fence by others.</p>		
<b>St. Paul's (Gainesville)</b>	<p><u>TRACT A:</u></p> <p>All that certain lot and parcel of land situated in the City of Gainesville, Cooke County, Texas, being part of Lots Nos. Five (5) and Six (6) in Block No. Thirty-one (31) of Lindsay's Addition to the said City of Gainesville, Texas, described as follows:</p> <p>BEGINNING 50 feet South of the Northeast corner of said Block No. 31; THENCE South 75 feet; THENCE West 150 feet to alley; THENCE North 75 feet; THENCE East 150 feet to the place of beginning;</p>	SC 3606-3607	A1696-97
	<p><u>TRACT B:</u></p> <p>All that certain tract or parcel of land being a part of Lots 5 and 8 in Block 11 of the Lindsay Addition, City of Gainesville, Cooke County, Texas, being the same lot</p>	SC 3613-3614	A2108-09

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>conveyed by D. L. Monroe, et ux to Leo E. Swick by deed recorded in Volume 358, Page 23 of the Cooke County Deed Records, and being more particularly described as follows:            BEGINNING on the North line of California Street as now occupied at a point West, 60.0 feet from the East line of said Block 11; THENCE West with the said North line of California Street a distance of 17.5 feet to a corner; THENCE North 0 degrees 15 minutes West, passing the common line of said Lots 5 and 8 at 88 feet, continuing a total of 96.0 feet to a PK-Nail in concrete on the Western South line of a tract conveyed to Alexander Garrett by deed recorded in Volume 61, Page 621 of said Deed Records; THENCE East, a distance of 17.5 feet to a PK-Nail in concrete at an all corner of said Garrett tract; THENCE South 0 degrees 15 minutes East, re-crossing said lot line at 8 feet, continuing a total of 96.0 feet to the point of beginning.</p>		
	<p><u>TRACT C:</u>            Being Part of Lot Eight (8) of Block Eleven (11) of the Lindsay Addition, to the City of Gainesville, Cooke County, Texas;            BEGINNING at the Northwest corner of said Lot Number Eight (8); THENCE East with the North line of said Lot 41 feet to a corner; THENCE South 50 feet to a corner; THENCE West 41 feet to a corner; THENCE North 50 feet to a corner and being the same property conveyed to the undersigned Grantor originally on June 1, 1971 by deed recorded in Volume 524, Page 391 of the Official Public Records of Cooke County Texas and in Volume 570, Page 434 of the Official Public Records of Cooke County, Texas.</p>	SC 3611-3612	A2110-11
	<p><u>TRACT D:</u>            All that certain tract or parcel of land situated in Lots 3, 4, 5 and 8, Block 11, Lindsay Addition to the City of Gainesville, Cooke County, Texas; said tract being the tracts described in deed from Thos. C. Schneider to R. D. Clack as recorded in Volume 468, page 23 of the Deed Records of Cooke County, Texas and a tract from Leo Ansley et al to R. D. Clack as shown by Deed recorded</p>	SC 3608-3610	A2112-14

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>in Volume 469, Page 82 of the Deed Records of Cooke County, Texas; said tract being further described herein by metes and bounds as follows:            BEGINNING, for the southwest corner of this tract, at the southwest corner of said Block 11 being the intersection of the north line of California Street with the east line of Denton Street, an "x" cut in concrete;            THENCE East 120.2 feet with the said north line of California Street to a point 3 inches into an existing brick wall, said point being described in an Agreement shown by instrument from R. D. Clack to Leo E. Swick, recorded in Volume 474, page 648 of the Deed Records of Cooke County, Texas; THENCE North 0 degrees 15 minutes East 96.0 feet with said agreed line to a point;            THENCE West 17.5 feet to a point; THENCE SOUTH 0 degrees 15 minutes West 8.0 feet to an "x" cut in concrete; THENCE West 103.08 feet to an "x" cut in concrete in the east line of Denton Street; THENCE South 88.0 feet to the place of beginning;</p>		
	<p><u>TRACT E:</u></p> <p>All that certain tract, piece, or parcel of land situate, lying, and being in the County of Cooke, State of Texas and more particularly described as follows, to wit: Out of the M. E. Chuck survey of _____ and a part of Lots 5, 6, 7, and 8 of Block 11 Lindsay's Addition to the City of Gainesville, more particularly described as follows: Beginning at the N.E. corner of said Lot 6 in said Block 11 Lindsay's Addition; Thence South on the East boundary line of said Lot 88 feet to the North boundary line of East California Street, which said North boundary line is twenty feet North of the South boundary line of said Lot 6, said twenty feet having been deeded to the City of Gainesville, Texas to widen said East California Street; Thence West on said North boundary line of East California Street 60 feet to the Southeast corner of a lot sold by C.N. _____ to J.D. Buckley January __, 1890 by deed recorded in Book 552, page 85, deed records of Cook County, Texas; Thence North with the said boundary line of said lot sold to said Buckley 88 feet _____ line of Lot No. 8 in Block No. 11 in said Lindsay's Addition at 96 feet a stake in the Northeast corner of Buckley lot; Thence</p>	<p>LEP 00554- 00557</p>	<p>A2140- 43</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	West 35 feet on the North boundary line of said Buckley Lot to its Northwest corner; Thence North 42 feet ____ East of 45 feet along the East boundary line of said Lot 8 Block 11 Lindsay's Addition 95 feet to the East boundary line of Lot No. 7 in said Block 11; Thence South 50 feet on said East boundary line to the place of beginning.		
<b>St. Peter &amp; St. Paul (Arlington)</b>	<p><u>TRACT A:</u></p> <p>Being a tract of land out of the S. D. Kelly Survey, Abstract 916, situated in the City of Arlington, Tarrant County, Texas, and being more particularly described as follows:</p> <p>BEGINNING at an iron rod set, said iron rod being, by called bearings and distances on deed recorded in Volume 2770, Page 584, DRTCT, 504 1/2 varas East and 200.2 varas N 1°W of the Southwest corner of said S. D. Kelly Survey, and being S 89° W 15.28 feet from the centerline of Morris Lane; THENCE S 88°W along a fence line, said fence line being along the North line of a 4.79 acre tract conveyed to Harvey P. Coats and wife, Mildred Coats, by deed recorded in Volume 1987, Page 320, DRTCT, at 214.2 feet passing an iron rod found beside a fence corner post, for a total distance of 392.3 feet to an iron pipe found adjacent to an iron corner fence post; THENCE N 1°10'40" W along a fence line, at 252.7 feet passing a stake, said stake being the Northeast corner of Palham Manor Addition, for a total distance of 533.2 feet to an iron rod set for corner beside a corner fence post, said corner being the Northeast corner of a tract conveyed to C. F. Parrish and wife, Edith H. Parrish, by deed recorded in Volume 3690, Page 600, DRTCT; THENCE N 88°51'40" E along a fence line, said fence line being along the South line of a tract conveyed to R. V. Keith by deed recorded in Volume 5547, Page 859, DRTCT, for a distance of 393.8 feet to an iron rod set beside a corner fence post, said iron rod being S 89° W 15.28 feet from the centerline of Morris lane; THENCE S 1° E with the West line of Morris Lane a distance of 527.2 feet to the point of beginning, and containing 4.784 acres of land, more or less.</p>	SC 3241-3244	A1698-1701

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>St. Peter by the Lake (Possum Kingdom)</b>	<p><u>TRACT A:</u></p> <p>The property subject to a lease dated March 19, 1992 from the BRAZOS RIVER AUTHORITY and described as follows:  Being 1.0 acre out of the A. J. Smith Survey, Abst. 393, and being a part of a tract of land purchased by the Authority from Mrs. Hugh G. Thomas, recorded in Vol. 182, page 142, deed records of Palo Pinto County, Texas, and described by metes and bounds as follows:  BEGINNING at an Iron Pipe set for the NE corner of lease, said I.P. being S. 66-45 W. 5,530 feet from the NE corner of said Mrs. Hugh G. Thomas tract, same being the NW corner of the John K. Weldon tract, a subdivision of the A. J. Smith original survey, Abst. 393;  THENCE S. 46-45 E. 307 feet to I.P. for corner;  THENCE N. 87-45 W. 340 feet to I.P. for corner;  THENCE N. 2-15 E. 200 feet to I.P. for corner;  THENCE S. 87-45 E. 107 feet to place of beginning, containing 1.0 acre, more or less.</p>	SC 3675-3681	
<b>St. Phillip The Apostle (Arlington)</b>	<p><u>TRACT A:</u></p> <p>BEING a tract of land situated in the M.E.P. &amp; P.R.R. Company Survey, Abstract No. 1125, City of Arlington, Tarrant County, Texas and being a portion of that same tract of land as described in deed to Guardian Savings and Loan Association, recorded in Volume 10380, Page 508 of the Deed Records of Tarrant County, Texas (DRTCT), being a portion of that same tract of land as described in deed to J.M. Lowe, recorded in Volume 103, Page 47, DRTCT and being more particularly described as follows:  BEGINNING at a ½" iron rod with a plastic cap found (Veselka) at the southwest corner of said Guardian Savings and Loan Association tract at the intersection of the east line of old New York Avenue (Called 40' R.O.W.), with the centerline of an east-west portion of said old New York Avenue (Called 50' R.O.W.);  THENCE N 00°06'11" E, along the east line of said old New York Avenue and the west line of said Guardian Savings and Loan Association tract, a distance of 504.43 feet to a ½" iron rod with a plastic cap set (Goodwin &amp; Marshall) at the intersection of the east line of said old</p>	SC 3247-3252	A2115-20



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>New York Avenue and the west line of said Guardian Savings and Loan Association tract, with the southwesterly line of New York Avenue as described in Volume 11617, Page 767, DRTCT, from which a ½" iron rod with a plastic cap found (Veselka) bears N 00°06'11" E, a distance of 0.59 feet and the old northwest corner of said Guardian Savings and Loan Association tract bears N 00°06'11" E, a distance of 1730.19 feet; THENCE Southeasterly, departing the east line of old New York Avenue and the west line of said Guardian Savings and Loan tract, along the new southwesterly line of said New York Avenue (90' R.O.W. Per Volume 11617, Page 767, DRTCT) and a non-tangent circular curve to the left, having a radius that bears N 69°45'40" E, 1045.00 feet, through a central angle of 29°20'50", an arc distance of 535.26 feet and having a chord that bears S 34°54'45" E, 529.42 feet to a ½" iron rod with plastic cap set (Goodwin &amp; Marshall) at the point of tangency, from which a ½" iron rod with a plastic cap found (Veselka) bears N 21°07'57" W, 4.61 feet; THENCE S 49°35'10" E, continuing along the new southwesterly line of said New York Avenue (Per Volume 11617, Page 767, DRTCT), passing the north line of said old New York Avenue (An east-west portion, called 50' R.O.W.), continuing a distance of 106.82 feet to a ½" iron rod with a plastic cap set (Goodwin &amp; Marshall) in the centerline of said old New York Avenue and the south line of said Guardian Savings and Loan Association tract, from which a ½" iron rod with a plastic cap found (Veselka) at the old southerlymost southeast corner of said Guardian Savings and Loan Association tract and the southerlymost southeast corner of a tract of land as described in deed to The City of Arlington, Texas, recorded in Volume 13095, Page 212, DRTCT bears N 89°50'43" E, 514.82 feet and a ½" iron rod with a plastic cap found (Veselka) bears N 89°50'43" E, 3.09 feet; THENCE S 89°50'43" W, along the centerline of said old New York Avenue and the south line of said Guardian Savings and Loan tract, a distance of 385.24 feet to the POINT OF BEGINNING and containing 77,932 square feet or 1.789 acres of land, SAVE AND EXCEPT and rights to the public along said old New York Avenue.</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
<b>St. Simon (Fort Worth)</b>	<p><u>TRACT A:</u></p> <p>LOTS 20, 21, and 22 in BLOCK 29, Rosedale Park No. 2, an addition to the City of Fort Worth, Tarrant County, Texas, same being a re-plat of Blocks 15, 21, 22, 27, 28, and 29, and parts of Blocks 14, 20, and 26 of Rosedale Park No. 2, according to Plat of Record in Volume 388V, Page 1, of Plat Records of Tarrant County, Texas, SAVE AND EXCEPT a portion of Lots 21 and 22, Block 29, Rosedale Park, No. 2, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-V, Page 1 of the Plat Records of said Tarrant County, more particularly described as follows:</p> <p>BEGINNING at the southwest corner of Lot 22, Block 29, of said Rosedale Park No. 2 Addition, said corner being on the north line of Ramey Avenue and on the east line of Stalcup Road; THENCE North with the west line of said Lot 22 and the east line of said Stalcup Road a distance of 19.6 feet to a point on the arc of a curve having a radius of 210.0 feet; THENCE in a southeasterly direction along the arc of said curve to the left a distance of 92.1 feet to a point on the south line of Lot 21, of said Block 29, said point bears North 89 degrees 52 minutes West 30.8 feet from the southeast corner of said Lot 21; THENCE North 89 degrees 52 minutes West with the south line of said Block 29 a distance of 89.2 feet to the place of beginning, containing 571.64 square feet of land, more or less.</p>	SC 3103-3105; SC 3109-3110	A1889-91; A1892-93
	<p><u>TRACT B:</u></p> <p>Being a portion of Stalcup Road right-of-way to be closed, adjacent to Lot 22, Block 29, Rosedale Park No. 2, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plan thereof recorded in Volume 388-V, Page 1 of the Plat Records of said Tarrant County, being more particularly described as follows:</p> <p>BEGINNING at the northwest corner of Lot 22, Block 29, of said Rosedale Park No. 2 Addition, said corner being the southwest corner of Lot 1, of said Block 29, and being on the east line of Stalcup Road; THENCE South with the west line of said Block 29, and the east line of said Stalcup Road a distance of 100.4 feet to a</p>	SC 3111-3114	A1702-05

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>point on the arc of a curve having a radius of 210.0 feet; THENCE in a northwesterly direction along the arc of said curve to the right a distance of 38.31 feet to a point on the arc of a curve having a radius of 410.0 feet; THENCE in a northeasterly direction along the arc of said curve to the left a distance of 85.15 feet to a point; THENCE South 89 degrees 52 minutes East a distance of 6.6 feet to the place of beginning, containing 1857.29 square feet of land, more or less, save and except that a 25 ft. by 25 ft. Sight Easement is to be retained at the southwest corner of the above described parcel, and subject to the reservations of easements for existing utilities.</p>		
<p><b>St. Stephen's (Wichita Falls)</b></p>	<p><u>TRACT A:</u></p> <p>BEGINNING at an iron rod at the Northwest corner of Lot 1, Block 1, Section E-1, University Park Subdivision to Wichita Falls for the Southeast corner of this tract; THENCE with the East line of Cypress Avenue being a curve to the left having a radius of 1588.2 feet, an arc distance of 214.4 feet to the end of said curve; THENCE N 14°57' W with the East line of Cypress Avenue 124.6 feet to the South line of Lindale Street; THENCE N 75°03' E with the south line of Lindale Street 82.0 feet to the beginning of a curve to the left having a radius of 580.0 feet and a central angle of 32°10'; THENCE with said curve to the left an arc distance of 325.62 feet to the end of said curve; THENCE continuing with the South line of Lindale Street N 42°53' E 30.0 feet to the beginning of a curve to the right having a radius of 200.0 feet and a central angle of 90°00'; THENCE with said curve to the right an arc distance of 314.1 feet to the end of said curve; THENCE S 47°07' E with the Southwest line of Lindale Street, 50.0 feet to the Northwest line of Section T-1, University Park Subdivision to Wichita Falls, for the East corner of this tract; THENCE S 42°46' W with said Northwest Subdivision line 690.36 feet to a point in the East line of Lot 1, Block 1, Section E-1, University Park Subdivision to Wichita Falls;</p>	<p>SC 3639</p>	

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>THENCE N 01°47' W with the East line of said Lot 1, 10.2 feet to the Northeast corner of said Lot 1;            THENCE S 82°47' W with the North line of said Lot 1, 153.09 feet to the place of beginning and containing 4.58 acres of land.</p>		
	<p><u>TRACT B:</u></p> <p>Three tracts of land situated in Block 21, Denton County School Lands, Wichita County, Texas, and containing 4.6 acres, more or less, each of said tracts being more specifically described by metes and bounds as follows:</p> <p><u>TRACT NO. 1:</u> Beginning at a point in the East right-of-way line of Cypress Avenue, said point being the Northwest corner of Lot 1, Block 1, Section E-1, University Park Addition to the City of Wichita Falls, Texas;            Thence, Northerly along said East right-of-way line, a circular curve to the left having a radius of 1588.20 feet, through a central angle of 2°53', an arc distance of 80 feet to a corner;            Thence N 79°54' E. 276.73 feet to a corner in a Northwest boundary line of Section T-1, University Park Addition;            Thence S 42°53' W along said boundary line 159.06 feet to a point in the East line of Lot 1, Block 1, Section E-1, University Park Addition;            Thence N 01°47' W along said East line of said Lot 1, 8.20 feet to the Northeast corner of said Lot 1;            Thence S 82°47' W along the North line of said Lot 1, 153.09 feet to the point of beginning, containing 0.56 acres more or less.</p> <p><u>TRACT NO. 2:</u> Beginning at a point in the East line right-of-way of Cypress Avenue, said point being located southerly along said East right-of-way line 259.00 feet from the South right-of-way line of Lindale Drive, said point also being the Northwest corner of the above described Tract No. 1;            Thence Northerly, along said East right-of-way line of Cypress Avenue, a circular curve to the left having a radius of 1588.2 feet, through a central angle of 4°51', an arc distance of 134.40 feet to the point of tangency of</p>	<p>SC 3630-3635</p>	<p>A1706-11</p>

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>said curve;  Thence N 14°57' W continuing along the East right-of-way line of Cypress Avenue, 124.60 feet to its intersection with the South right-of-way line of Lindale Drive;  Thence N 75°03' E along the South right-of-way line of Lindale Drive, 82.0 feet to the point of curve of a circular curve to the left having a radius of 580.00 feet;  Thence Northeasterly, continuing along the South right-of-way line of Lindale Drive, and along the last above described circular curve, through a central angle of 20°13'34", an arc distance of 204.75 feet to a point for a corner;  Thence S 47°07' E 262.55 feet to a point for a corner in a Northwest boundary line of Section T-1, University Park Addition to the City of Wichita Falls, Texas;  Thence S 42°53' W along said boundary line, 179.84 feet to a point for a corner, same being the Northeast corner of the above described Tract No. 1;  Thence S 79°54' W along the North line of said Tract No. 1, 276.73 feet to the point of beginning and containing 2.32 acres more or less.</p> <p><u>TRACT NO. 3:</u> Beginning at the point of intersection of the southwesterly right-of-way line of Lindale Drive with the Northwest boundary of Section T-1, University Park Addition to the City of Wichita Falls, Texas;  Thence S 42°53' W along said Northwest boundary of said Section T-1, 350.00 feet to the most easterly corner of the above described Tract No. 2;  Thence N 47°07' W along the Northeast boundary of said Tract No. 2, 262.55 feet to its most northerly corner, a point in the southerly right-of-way line of Lindale Drive;  Thence Northeasterly, along the southerly right-of-way line of Lindale Drive, along a circular curve to the left having a radius of 580.00 feet, through a central angle of 11°56'26", an arc distance of 120.87 feet to the end of said curve;  Thence N 42°53' E continuing along said southerly right-of-way line of Lindale Drive, 30.00 feet to the point of curve of a circular curve to the right having a radius of 200.00 feet and a central angle of 90°00';</p>		

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>Thence Northeasterly to Southeasterly, continuing along said right-of-way line, and along the last above described circular curve, an arc distance of 314.16 feet to the point of tangency of said curve;  Thence S 47°07' E continuing along said right-of-way, 50.00 feet to the point of beginning, and containing 1.82 acres more or less.</p> <p><u>TRACT C:</u></p> <p>Lot 2, St. Stephens Subdivision of Wichita Falls, Wichita County, Texas, commonly known as 5023 Lindale, Wichita Falls, Texas 76310.</p>	EX A2	A2226-27
St. Stephen's (Hurst)	<p><u>TRACT A:</u></p> <p>A tract or parcel of land in the ISAAC CARODINE SURVEY, ABSTRACT No. 387, and the WILLIAM DOTY SURVEY, ABSTRACT No. 420, situated in the City of Hurst, Tarrant County, Texas, and being a portion of the trust described as Tract 1 and Tract 2, in a special warranty deed to Calvin Adkins and Alonzo F. Adkins, Jr., of record in Volume 1533, Page 561, Deed Records, Tarrant County, Texas, and further described as Parcel 1 and Parcel 2 in a Partition Deed, which declared Calvin Adkins to be the sole owner of Parcel 2, as recorded in Volume 9150, Page 189, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:  BEGINNING at a point marked with an iron pin in the fork of a tree, said point being the intersection of the North line of the said WILLIAM DOTY SURVEY and the East line of Precinct Line Road, also being the Southwest corner of said Parcel 1, and the Northwest corner of said Parcel 2; THENCE North 0 degrees 07 minutes 26 seconds East with said East line a distance of 10.0 feet to a point marked with an iron pin; THENCE South 89 degrees 52 minutes 14 seconds East, parallel and 10.0 feet North of said North line of the WILLIAM DOTY SURVEY, a distance of 939.54 feet to a point marked with an iron pin; THENCE South 0 degrees 07 minutes 26 seconds West a distance of 218.71 feet to a point marked with an iron pin; THENCE North 89 degrees 52 minutes 34 seconds West a distance of</p>	SC 3330-3333	A2121-24

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>939.94 feet to a point marked with an iron pin, said point being in said East line of Precinct Line Road; THENCE North 0 degrees 07 minutes 26 seconds East with said East line a distance of 208.71 feet to the "POINT-OF-BEGINNING" and containing 205,582.41 square feet or 4.720 acres of land, more or less.</p> <p>SAVE AND EXCEPT;</p> <p>Being 0.200 of an acre of land, more or less, situated in the County of Tarrant, State of Texas, and being out of the I. Caradine Survey, Abstract No. 356 and the W.A. Doty Survey No. 420, and being a part of Exhibit A and Exhibit B conveyed by Sid Parker Stone Company, Inc., to Sid Parker and wife, Elaine Parker, by deed dated December 20, 1989, and recorded in Volume 9793, Page 2027 of the Deed Records of Tarrant County, Texas, which 0.200 of an acre of land, more or less, is more particularly described as follows:</p> <p>BEGINNING at a right-of-way marker set at the intersection of the proposed East right-of-way line of P.M. Highway 3029 and the North line of said Exhibit B, said marker being South 89 degrees 39 minutes 08 seconds West, a distance of 902.50 feet from the reconstructed Northeast corner of said Exhibit B, said marker also being 60.00 feet East of and at right angles to centerline survey station 95+27.58; (1) THENCE South 00 degrees 04 minutes 35 seconds West with said proposed East right-of-way line, a distance of 72.42 feet to a right-of-way marker set; (2) THENCE South 04 degrees 12 minutes 45 seconds East continuing with said proposed East right-of-way line a distance of 146.77 feet to a right-of-way marker set in the South line of said Exhibit A; (3) THENCE South 89 degrees 38 minutes 36 seconds West (called: North 89 degrees 52 minutes 34 seconds West) along the South line of said Exhibit A, a distance of 46.25 feet to a ½ inch iron rod found at the southwest corner of said Exhibit 1, same being in the existing East right-of-way line of Precinct Line Road; (4) THENCE North 00 degrees 21 minutes 56 seconds West (called: North 00 degrees 07 minutes 26 seconds East, 218.71 feet) with the West line of said Exhibit A and Exhibit B, same being said existing East right-of-way line, a distance of 218.93 feet to a ½ inch iron rod found at the Northwest corner of said Exhibit B; (5) THENCE</p>		

<b><u>For the use of:</u></b>	<b><u>Property Description</u></b>	<b><u>Source</u></b>	<b><u>Appx Pages</u></b>
	<p>North 89 degrees 39 minutes 08 seconds East (called: South 89 degrees 52 minutes 34 seconds East) along the North line of said Exhibit B, a distance of 36.96 feet to the POINT OF BEGINNING.</p> <p>NOTE: Directional control is based on the centerline of proposed F.M. Highway 3029.</p>		
<p><b>St. Thomas the Apostle (Jacksboro)</b></p>	<p><b><u>TRACT A:</u></b></p> <p>Part of Lots 2, 3, 6, 7 and 8 Block 34 of the Original Townsite of the City of Jacksboro and a tract of land 20.6 feet by 33.1 feet out of the J.W. Buckner Survey, Abstract No. 34, Jack County, Texas, said entire tract being described as follows:</p> <p>BEGINNING at a 1/2" iron pin set on the South line of the U.S. Highway No. 380 (West Belknap Street) and being 9.5 feet South of the North line of Lot No. 2, Block 34, and being 704 feet West as measured along the block line from the Southwest corner of the "Public Square" and being on the property line as by "Agreement" recorded in Volume 145, Page 416, Deed Records of Jack County, Texas; THENCE South 01 degree 32 minutes East along the "Agreement Line" a distance of 147.8 feet a 1/2" iron pin; THENCE South 88 degrees 50 minutes West a distance of 74.4 feet at iron pin in fence line; THENCE South 02 degrees 37 minutes West along a fence a distance of 131.0 feet a 2-1/2" metal post; THENCE North 88 degrees 52 minutes West along a fence a distance of 20.6 feet a 2-1/2" metal post; THENCE South 00 degrees 29 minutes East along a fence a distance of 33.1 feet a 2-1/2" metal post; THENCE North 89 degrees 14 minutes East along a fence at 180.5 feet passing a 2-1/2" metal post where fence ends, continuing in all a distance of 188.7 feet a nail set in a private drive; THENCE South 00 degrees 23 minutes East a distance of 10.5 feet a nail set in private drive; THENCE North 89 degrees 37 minutes East a distance of 81.0 feet a 1/2" iron pin; THENCE North 00 degrees 23 minutes West at a distance of 50.8 feet a point chiseled in concrete from which a 4" cedar post bears East 0.5 feet; THENCE South 89 degrees 37 minutes West a distance of 81.0 feet a 1/2" iron pin; THENCE North 00 degrees 23 minutes West a distance of 154.8 feet a 3/4" iron pin set at edge of concrete drive,</p>	<p>SC 3698-3701</p>	<p>A2129-32</p>



<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>continuing in all a distance of 274.9 feet a chiseled point on concrete drive in the South line of U.S. Highway No. 380; THENCE South 86 degrees 53 minutes West along the South R/W line of U.S. Highway No. 380 a distance of 89.9 feet to the place of beginning.</p> <p>SAVE AND EXCEPT a tract of land in Lot No. 8, Block No. 34, of the Original Townsite of Jacksboro, Texas, plat thereof recorded in Volume E-3, Page 520, Miscellaneous Records of Jack County and being part of the Jim Allard and wife, Eva Allard Tract recorded in Volume 689, Page 573, Official Public Records of Jack County and being more particularly described as follows: BEGINNING at a 2 inch cap on a 5/8 inch iron rod found being a northwest corner of the said Allard Tract and the southwest corner of the Jimmy Allard Tract recorded in Volume 671, Page 301. Official Public Records of Jack County, on the east line of the Jack County Museum Association Tract recorded in Volume 543, Page 840, Deed Records of Jack County. THENCE South 89 degrees 59 minutes 38 seconds East for a distance of 26.42 feet to a 2 inch cap on a 5/8 inch iron rod set at the west base of a chainlink fence corner on a north line of the said Allard Tract recorded in Volume 689, Page 573 and the south line of the said Allard Tract recorded in Volume 671, Page, 301. THENCE South 00 degrees 17 minutes 40 seconds East for a distance of 31.40 feet to a 2 inch cap on a 5/8 inch iron rod set at the southeast base of a chainlink fence corner within the said Allard Tract recorded in Volume 689, Page 573. THENCE North 88 degrees 12 minutes 34 seconds West for a distance of 26.83 feet to a 2 inch cap on a 5/8 inch iron rod set on the west line of the said Allard Tract and the east line of the said Museum Tract. THENCE North 00 degrees 26 minutes 38 seconds East for a distance of 30.56 feet to the place of beginning.</p>		
<b>St. Timothy's (Fort Worth)</b>	<u>TRACT A:</u>  Lot 6 in Block 2, TRUELAND ADDITION, an Addition to the City of Fort Worth, Tarrant County, Texas.	SC 3667-3668, SC 3669-3670	A1712-13; A1714-15
	<u>TRACT B:</u>  Part of Lots 4 and 5, in Block 2, TRUELAND	SC 3667-3668	A1712-13

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p>ADDITION, an Addition to the City of Fort Worth, Tarrant County, Texas, being that land shown in deed dated August 11, 1977, in Book 6324, Page 629, Deed Records of Tarrant County, Texas, from Edward Joyce to Ruth L. Joyce, as her sole and separate property, and further described by metes and bounds as follows:BEGINNING at a stake in the South line of Lot 4, Block 2, TRUELAND ADDITION, Second Filing, 140.5 feet South 82° West from Southeast corner of said Lot 4; THENCE North 12° 20' West 201 feet to a stake in North line, Lot 5; THENCE with North line of Lot 5 South 68° West a distance of 114.25 feet to Northwest corner Lot 5; THENCE Southerly with West line Lot 5 a distance of 78.6 feet to Southwest corner Lot 5, same being the Northwest corner Lot 4; THENCE Southerly with West line Lot 4 a distance of 110.3 feet to Southwest corner of said Lot 4; THENCE North 82° East with South line Lot 4 a distance of 194.5 feet to PLACE OF BEGINNING.</p>		
	<p><u>TRACT C:</u></p> <p>Being all of LOT THREE (3), in BLOCK TWO (2), TRUELAND ADDITION to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof Recorded in Volume 348, page 587, Plat records of Tarrant County, Texas.</p>	SC 3671-3673	A1716-18
	<p><u>TRACT D:</u></p> <p>Lot 1-A, Block 11, GLEN GARDEN ADDITION, First Filing, to the City of Fort Worth, Tarrant County, Texas, according to the Plat recorded in Volume 388-F, Page 395, Plat Records, Tarrant County, Texas.</p>	SC 3119-3121	A1894-96
<p><b>St. Vincent's Cathedral (Bedford)</b></p>	<p><u>TRACT A:</u></p> <p>Being a tract of land out of the William D. Yantis Survey, Abstract No. 1752, Bedford, Tarrant County, Texas, and being the same property conveyed to A. M. Payton by deed as recorded in Volume 3310, page 223, Deed Records Tarrant County, Texas, and being more particularly described as follows: BEGINNING at the Southwest corner of the William D.</p>	SC 3254-3257	A1719-22

<b><u>For the use of:</u></b>	<b><u>Property Description</u></b>	<b><u>Source</u></b>	<b><u>Appx Pages</u></b>
	<p>Yantis Survey; THENCE North along the West line of said Yantis Survey, in Pipeline to Bedford Road, 929.0 feet to a point; THENCE East to and along a fence, at 70.0 feet pass a steel rod, and continuing a total distance of 928.3 feet to a bois d'arc stake in fence corner; THENCE South 0° 54' East along a fence, 927.8 feet to a bois d'arc stake and sandstone mound in the South line of said Yantis Survey; THENCE South 89° 58' West along said Yantis Survey South line and fence line, at 923.9 feet pass a steel rod, and continuing a total distance of 941.7 feet to a PLACE OF BEGINNING, and containing 19.928 acres of land more or less, of which 0.517 acres being contained within Pipeline to Bedford Road, leaving 19.411 acres of land net, more or less</p> <p>SAVE AND EXCEPT that portion of land in the use or occupancy of any public road or highway.</p>		
	<p><b><u>TRACT B:</u></b></p> <p>Lot 1, Block 1, Saint Vincent's Addition to the City of Bedford, Tarrant County, Texas, commonly known as 1300 Forest Ridge Dr., Bedford, Texas 76022.</p>	EX A2	A2219
<b>Trinity (Fort Worth)</b>	<p><b><u>TRACT A:</u></b></p> <p>Lot 3 in Block 2 of BELLAIRE, an addition to the City of Fort Worth, Tarrant County, Texas according to plat recorded in Deed Records, Tarrant County, Texas</p>	SC 3435-3438	A1897-1900
	<p><b><u>TRACT B:</u></b></p> <p>Lot FOUR (4) in Block TWO (2) of Bellaire, an addition to the City of Fort Worth, Tarrant County, Texas according to plat recorded in Deed Records, Tarrant County, Texas</p>	SC 3435-3438	A1897-1900
	<p><b><u>TRACT C:</u></b></p> <p>Lots 5,6,7 and 8, in Block 2 of Bellaire, an addition to the City of Fort Worth, Tarrant County, Texas according to plat recorded in Book 204, Page 77, Deed Records of Tarrant County, Texas</p>	SC 3425; SC 3435-3438	A1723; A1897-1900

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	<p><u>TRACT D:</u></p> <p>Lots 1 and 2, Block 2, BELLAIRE, an Addition to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 204, Page 77, Deed Records of Tarrant County, Texas. Property Address: 3425 Bellaire Drive South, Fort Worth, Texas 76109-2133</p>	SC 3431-3434	A1901-04
<p><b>Trinity Episcopal Church (Dublin)</b></p>	<p><u>TRACT A:</u></p> <p>All that certain lot or parcel of land situated in the Northern portion of the Town of Dublin, Count of Erath &amp; State of Texas, the same being a part of the M.G. Bishop subdivision of the Wm. Thomas original survey &amp; described by metes &amp; bounds as follows, to wit: Beginning at the North East corner of said M. G. Bishop survey for the N.E. corner of this. Thence N.1° W with the N line of said M. G. Bishop Survey 155 vrs, to the East boundary line of Patrick Street for the NW corner of this lot. Thence S. 16° W along said E. line of Patrick Street 57 4/5 vrs. to the N W corner of a lot owned by S J Price for the S. W corner of this. Thence S. 74° E 151 1/2 vrs. to the E boundary line of said M G Bishop survey to the S E corner of this. Thence N. 19° E along said S line of said M G Bishop survey to the beginning, containing one and one-half (1½) acres, more or less.</p>	SC 3011-3014	A1727-30
	<p><u>TRACT B:</u></p> <p>Being all that certain lot, tract of parcel of land and being Lot 2 (now 2-B), Block 88, (situated on the east side of Patrick Street) in the town of Dublin, Erath County, Texas, and described as follows: BEGINNING at the NWC of a survey of land conveyed by M. C. Gillett to S. T. Price, November 20, 1883, and by S. T. Price and Mary A. Price to M. C. Fewell on October 8, 1889, for the NWC of this; THENCE S 74 E 200 ft. a stake for the NEC of this; THENCE S 16 W 74 ft. a stake for the SEC of this; THENCE N 74 W 200 ft. t the EBL of Patrick Street; THENCE N 16 E 74 ft. with the EBL of Patrick Street to the place of beginning and being the same land conveyed by William O'Bryant et ux Jonnie O'Bryant to W. E. Abbo by Deed dated April 26, 1902, recorded in Vol. 71, Page 601, Deed</p>	SC 3000-3001	A2133-34

<u>For the use of:</u>	<u>Property Description</u>	<u>Source</u>	<u>Appx Pages</u>
	Records of Erath County, Texas, to which deed and the record thereof reference is here made.		
	<u>TRACT C:</u> Lot 1, Block 88, S 9009 City Addition (.0657 Acres) to Town of Dublin, Erath County, Texas, commonly known as 100 W. Harris, Dublin, Texas 76446.		
<b>Trinity Episcopal Church (Henrietta)</b>	<u>TRACT A:</u> Being a part of the Ambrose Crain Survey, Abstract No. 83, described by metes and bounds as follows: BEGINNING 240 feet East of East boundary line of Hancock Street, being Southeast corner of Block No. 2 Worsham Addition, the Southeast corner of 240 feet tract owned by G. P. Graner and 310 feet East of Southeast corner of Block 42, Howeth & Eldridge Addition to Henrietta; THENCE East 212 feet to West boundary line of W. L. Arthur property; THENCE North 240 feet along West boundary line of W. L. Arthur property; THENCE West 212 feet to East boundary line of G. P. Graner property; THENCE South 240 feet along East boundary line of said Graner property to the place of beginning.	SC 2894-2898	A1731-35

**DIOCESAN FUNDS:**

<b>Fund Name</b>
Fund for the Endowment of the Episcopate
E.D. Farmer Fund - Fort Worth
Anne S. and John S. Brown Trust
Betty Ann Montgomery Farley Fund
Reverend Efrain Huerta Fund benefiting Hispanic Ministries
Memorial Scholarship Fund out of Common Trust (Growth Fund and Income Fund)
St. Paul's Memorial Fund Fort Worth
E.D. Farmer Foundation-Fort Worth
Revolving Fund

Scholarship Fund
Joe and Jesse Crump Fund
Reserve for Maintenance
Catastrophe Fund-Wind and Hail
Berger Reserve Funds
Canterbury Ministry
Eugenia Turner Fund
St. Peter's Fund
Moncrief Legal Fund
ACN-Special Offerings
Sabbatical Fund
Reserve Church Plant
Bishop's Mission Work
Book of Remembrance
World Mission
Bishop's Golf Tournament
Deacon Training
E.C.W.
United Thank Offering
Christian Education
Camp Crucis Alumni
Safeguarding God's Children
Risk Management Fees
Diocesan Discretionary
Memorial Scholarship Fund
Malawi Shipping and Team Support
Northern Mexico
Centurions
Youth Commission
Interest Earned
Conferences & Workshops

Y.W.A.M. Missions Fund
Endowment for the Episcopate
Assisting Bishops Fund
La Gran Familia
Oil and Gas Lease
Anglican Relief and Development
Convention
Thankful Gifts of Love
Mission Team
N. Malawi - Special Offerings
Administrators Workshop
Clergy Retreat
Reserve for Operating
Legal Defense Fund
Mission Station King of Glory
Reserve Crowley Property
San Miguel Building Fund
Ministry Safe

**DIOCESAN ACCOUNTS:**

**Deposit Accounts**

<b>Account Description</b>	<b>Bank</b>	<b>Account Type</b>	<b>Account Number</b>
Operating Fund	Frost Bank	Checking	#*****182
Business First	Business First	Commercial Checking	#*****101
General Special Fund Account	Frost Bank	Checking	#*****083
Special Fund, St. Peter Fund	Frost Bank	Business Money Market	#*****939

Special Fund	Frost Bank	Business Money Market	*****174
General Revolving Account	Frost Bank	Checking	*****208
Revolving Account	Frost Bank	Business Money Market	*****166
General E D Farmer Fund	Frost Bank	Checking	*****190
Camp Crucis Special Account	Frost Bank	Business Money Market	*****559
Camp Crucis Operating Account	Frost Bank	Checking	*****540

**Investment Accounts**

Account Description	Bank	Account Type	Account Number
Endowment for the Episcopate	Frost Bank	Investment	***96
Diocesan Fund	Frost Bank	Investment	*****01
Edward Disney Farmer Fund	Frost Bank	Investment	***02
Anne S. and John Brown Trust	Frost Bank	Investment	*****05
Betty Ann Montgomery Farley Fund	Frost Bank	Investment	***07
Memorial Scholarship Fund	Frost Bank	Investment	*****03
Huerta Fund	Frost Bank	Certificate of Deposit	*****99

**PARISH AND MISSION FUNDS:**

Parish or Mission	Location	Specific Funds or Accounts
ALL SAINTS' EPISCOPAL CHURCH	Fort Worth	<ul style="list-style-type: none"> <li>Men's Club</li> </ul>
ALL SAINT'S EPISCOPAL CHURCH	Weatherford	<ul style="list-style-type: none"> <li>E.D. Farmer Foundation/Fund</li> </ul>



		<ul style="list-style-type: none"> <li>• All Saints Foundation</li> </ul>
ALL SAINT'S EPISCOPAL CHURCH	Wichita Falls	<ul style="list-style-type: none"> <li>• Burns Chapel Fund</li> <li>• Episcopal School Fund</li> <li>• Grace Gould Memorial Trust</li> </ul>
CHRIST THE KING EPISCOPAL CHURCH	Fort Worth	<ul style="list-style-type: none"> <li>• Merrill Lynch</li> </ul>
EPISCOPAL CHURCH OF THE GOOD SHEPHERD	Wichita Falls	<ul style="list-style-type: none"> <li>• Burns Chapel Fund</li> <li>• Episcopal School Fund</li> </ul>
EPISCOPAL CHURCH OF THE GOOD SHEPHERD	Wichita Falls	<ul style="list-style-type: none"> <li>• Episcopal School Fund</li> <li>• Burns Chapel Fund</li> </ul>
ST. ANDREW'S EPISCOPAL CHURCH	Fort Worth	<ul style="list-style-type: none"> <li>• 1985 Permanent Fund of St. Andrew's Episcopal Church Fort Worth; J. Fischer, Trustee, Bank One;</li> <li>• Cynthia Brants Charitable Remainder Unitrust;</li> <li>• Dave T. Miller Trust</li> <li>• 1985 St. Andrew's Permanent Fund</li> <li>• Depositories in Louisiana;</li> <li>• Carrie McFarland Charitable Trust;</li> <li>• Eddleman McFarland Trust;</li> <li>• Flora Foust Educational Fund;</li> <li>• Rose Lafferty Educational Fund;</li> <li>• M Anderson Farms Fund</li> </ul>
ST. ANNE'S EPISCOPAL CHURCH	Fort Worth	<ul style="list-style-type: none"> <li>• Endowment (Jerry Nelson)</li> </ul>
ST. JOHN'S EPISCOPAL CHURCH	Fort Worth	<ul style="list-style-type: none"> <li>• St. John's Foundation</li> <li>• E.D. Farmer Fund</li> </ul>
ST. STEPHEN EPISCOPAL CHURCH	Hurst	<ul style="list-style-type: none"> <li>• Stock Funds</li> </ul>
ST. MARY'S EPISCOPAL CHURCH	Hamilton	<ul style="list-style-type: none"> <li>• Book of Remembrance Memorial Fund</li> </ul>

		<ul style="list-style-type: none"> <li>• Window Building Fund</li> <li>• Endowment Fund</li> <li>• Extraco Bank</li> <li>• First State Bank Central Texas</li> <li>• Soloman-Smith Barney Allocation Series</li> </ul>
ST. MARY'S EPISCOPAL CHURCH	Hillsboro	<ul style="list-style-type: none"> <li>• Edward Jones</li> <li>• Citizens National Bank</li> </ul>
ST. STEPHEN'S EPISCOPAL CHURCH	Wichita Falls	<ul style="list-style-type: none"> <li>• Burns Chapel Fund</li> <li>• Episcopal School Fund</li> </ul>

US 821331v.1

# **SCHEDULE B**

**SCHEDULE B**

**PARISHES AND MISSIONS OF THE EPISCOPAL  
DIOCESE OF FORT WORTH**

All Saints' Episcopal Church (Fort Worth)
All Saints' Episcopal Church (Weatherford)
All Saints' Episcopal Church (Wichita Falls)
Christ the King Episcopal Church (Fort Worth)
Episcopal Church of the Ascension & St. Mark (Bridgeport)
Episcopal Church of the Good Shepherd (Brownwood)
Episcopal Church of the Good Shepherd (Granbury)
Episcopal Church of the Good Shepherd (Wichita Falls)
Episcopal Church of the Holy Apostles (Fort Worth)
Holy Comforter Episcopal Church (Cleburne)
Holy Spirit Episcopal Church (Graham)
Holy Trinity Episcopal Church (Eastland)
Iglesia San Juan Apostol (Fort Worth)
Iglesia San Miguel (Fort Worth)
Our Lady of the Lake Episcopal Church (Laguna Park)
St. Alban's Episcopal Church (Arlington)
St. Alban's Episcopal Church (Hubbard)
St. Andrew's Episcopal Church (Breckenridge)
St. Andrew's Episcopal Church (Fort Worth)
St. Andrew's Episcopal Church (Grand Prairie)
St. Anne's Episcopal Church (Fort Worth)
St. Anthony of Padua Episcopal Church (Alvarado)
St. Barnabas the Apostle Episcopal Church (Keller)
St. Christopher Episcopal Church (Fort Worth)
St. Elisabeth's Episcopal Church (Fort Worth)
St. Francis of Assisi Episcopal Church (Willow Park)
St. Gregory's Episcopal Church (Mansfield)
St. John the Divine Episcopal Church (Burkburnett)

St. John's Episcopal Church (Brownwood)
St. John's Episcopal Church (Fort Worth)
St. Joseph's Episcopal Church (Grand Prairie)
St. Laurence's Episcopal Church (Southlake)
St. Luke-in-the-Meadow Episcopal Church (Fort Worth)
St. Luke's Episcopal Church (Mineral Wells)
St. Luke's Episcopal Church (Stephenville)
St. Mark's Episcopal Church (Arlington)
St. Martin-in-the-Fields Episcopal Church (Keller)
St. Mary's Episcopal Church (Hamilton)
St. Mary's Episcopal Church (Hillsboro)
St. Matthew's Episcopal Church (Comanche)
St. Michael's Episcopal Church (Richland Hills)
St. Patrick's Episcopal Church (Bowie)
St. Paul's Episcopal Church (Gainesville)
St. Peter and St. Paul Episcopal Church (Arlington)
St. Peter-by-the-Lake Episcopal Church (Graford)
St. Phillip the Apostle Episcopal Church (Arlington)
St. Simon of Cyrene Episcopal Church (Fort Worth)
St. Stephen Episcopal Church (Wichita Falls)
St. Stephen's Episcopal Church (Hurst)
St. Thomas the Apostle Episcopal Church (Jacksboro)
St. Timothy Episcopal Church (Fort Worth)
St. Vincent's Episcopal Church (Bedford)
Trinity Episcopal Church (Dublin)
Trinity Episcopal Church (Fort Worth)
Trinity Episcopal Church (Henrietta)