

CAUTHORN NOHR & OWEN

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July 12, 2021

VIA Hand-Delivery:

Robert D. Ingram, Esq.
Moore Ingram Johnson & Steele, LLP
326 Roswell Street, Suite 100
Marietta, GA 30060

Re: *The Trustees of the North Georgia Conference of the United Methodist Church, Inc. v. Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church*, Superior Court of Cobb County, CAFN 21-106801-28

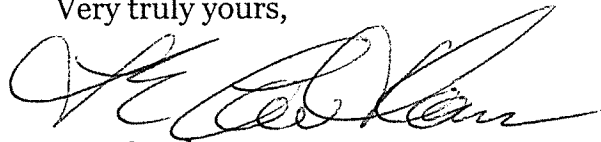
Robert Ingram:

Enclosed with this letter is the Petition for Declaratory Judgment, Accounting, and Interlocutory and Permanent Injunction along with the Summons and Disclosure Statement that was filed today in the Superior Court of Cobb County. It is my understanding, based on our previous conversations, that your client has authorized you to accept service on their behalf. As such, I am enclosing an original Acknowledgment of Service for your signature.

Additionally, I am enclosing a copy of a Rule Nisi which I intend to send to Judge Staley Clark's office so that a hearing on the interlocutory injunction can be set. When you return the signed acknowledgment, please provide me with a list of dates in November and December when you are **not available** so I can send that information to the judge's office when I forward the Rule Nisi for Judge Staley Clark's consideration.

Lastly, I am enclosing a copy of my Leave of Absence which I intend to file today via PeachCourt.

Very truly yours,



T.E. Cauthorn

Enclosures
TEC/cle

**SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

ID# 2021-0117543-CV
EFILED IN OFFICE
CLERK OF SUPERIOR COURT
COBB COUNTY, GEORGIA
21106801
Mary Staley Clark - 28
SEP 08, 2021 11:50 AM



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

CIVIL ACTION NUMBER **21106801**

\$214.00 COST PAID

The Trustees of the North Georgia Conference

PLAINTIFF

VS.

Mt. Bethel United Methodist Church

DEFENDANT

SUMMONS

TO: MT. BETHEL UNITED METHODIST CHURCH

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

**T.E. Cauthorn, III
Cauthorn Nohr & Owen
212 Church Street
Marietta, Georgia 30060**

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 8th day of September, 2021.

Clerk of Superior Court



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

DISCLOSURE STATEMENT
CLERK OF SUPERIOR COURT

CASE NUMBER 21106801

The Trustees of the North Georgia Conference

Plaintiff

Vs.

Mt. Bethel United Methodist Church

Defendant

TYPE OF ACTION

- | | |
|---|--|
| <input type="radio"/> Divorce without Agreement Attached | <input type="radio"/> URESA |
| <input type="radio"/> Divorce with Agreement Attached | <input type="radio"/> Name Change |
| <input type="radio"/> Domestic Relations | <input checked="" type="radio"/> Other |
| <input type="radio"/> Damages Arising out of Contract | <input type="radio"/> Recusal |
| <input type="radio"/> Damages Arising out of Tort | <input type="radio"/> Adoption |
| <input type="radio"/> Condemnation | |
| <input type="radio"/> Equity | |
| <input type="radio"/> Zoning – County Ordinance Violations (i.e., Injunctive Relief-Zoning) | |
| <input type="radio"/> Zoning Appeals (denovo) | |
| <input type="radio"/> Appeal, Including denovo appeal – excluding Zoning | |

PREVIOUS RELATED CASES

Does this case involve substantially the same parties, or substantially the same subject matter, or substantially the same factual issues, as any other case filed in this court (Whether pending simultaneously or not)?

☒ NO

☐ YES – If yes, please fill out the following:

1. Case # _____

2. Parties _____

3. Assigned Judge _____

4. Is this case still pending? ☐ Yes ☐ No

5. Brief description of similarities:

/S/ Cauthorn, T.E. III

Attorney or Party Filing Suit

General Civil and Domestic Relations Case Filing Information Form

ID# 2021-0117544-CV
 EFILED IN OFFICE
 CLERK OF SUPERIOR COURT
 COBB COUNTY, GEORGIA
21106801
 Mary Staley Clark - 28
 SEP 08, 2021 11:50 AM

☒ Superior or ☐ State Court of Cobb County

For Clerk Use Only

Date Filed 09-08-2021
 MM-DD-YYYY

Case Number 21106801

Connie Taylor, Clerk of Superior Court
 Cobb County, Georgia

Plaintiff(s)

The Trustees of the North Georgia Conference

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney Cauthorn, T.E. III

Defendant(s)

Mt. Bethel United Methodist Church

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Bar Number 117400

Self-Represented ☐

Check one case type and, if applicable, one sub-type in one box.

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Contempt/Modification/Other Post-Judgment
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☒ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
 - ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
 - ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

THE TRUSTEES OF THE NORTH
GEORGIA CONFERENCE OF THE
UNITED METHODIST CHURCH, INC.,

PETITIONER,

VS.

MT. BETHEL UNITED METHODIST
CHURCH, INC. D/B/A MT. BETHEL
UNITED METHODIST CHURCH,

RESPONDENT.

CIVIL ACTION FILE NUMBER:

**PETITION FOR DECLARATORY JUDGMENT, ACCOUNTING, AND
INTERLOCUTORY AND PERMANENT INJUNCTION**

The Trustees of the North Georgia Conference of the United Methodist Church, Inc. seek declaratory judgment, an accounting, and interlocutory and permanent injunctions against Respondent by showing the following:

1.

Petitioner is a non-profit corporation, incorporated under the laws of the State of Georgia.

2.

Respondent is a non-profit corporation, incorporated under the laws of the State of Georgia, doing business as Mt. Bethel United Methodist Church, with its principal office and place of doing business located at 4385 Lower Roswell Road, Marietta, Georgia 30068-4130 in unincorporated Cobb County.

Superior Court of Cobb County, CAFN: _____
The Trustees etc. v. Mt. Bethel etc.; Petition for Declaratory Judgment, Accounting, and
Interlocutory and Permanent Injunction

3.

Respondent may be served with process by service upon its registered agent, Clayton Carmack, at its registered office located at 326 Roswell Street, Suite 100, Marietta, Cobb County, Georgia 30060.

4.

This Court has jurisdiction over this matter.

5.

Venue is proper in this Court.

6.

By July 12, 2021, because Respondent had taken steps inconsistent with The Book of Discipline (as more specifically set forth in paragraph 13 below), Petitioner took ownership of all of Respondent's assets.

7.

Petitioner has demanded possession of its assets and Respondent has refused to comply with that demand. Respondent's possession of the assets owned on and after July 12, 2021 by Petitioner is illegal.

8.

At all times relevant to this petition, Respondent was subject to the obligations and regulations governing the United Methodist Church denomination known as The Book of Discipline.

9.

The Book of Discipline outlines the law, doctrine, administration, organizational work, and procedures of The United Methodist Church (“The Church”), a hierarchical worldwide religious denomination. Each General Conference of The Church amends The Book of Discipline, and the actions of the General Conference are reflected in quadrennial revisions. Local churches are subject to The Book of Discipline and the Church hierarchy.

10.

The State of Georgia recognizes controlling religious doctrine over domestic nonprofit corporations. Rector, Wardens, Vestrymen of Christ Church in Savannah, et al. v. Bishop of the Episcopal Diocese of Georgia, Inc., et al., 290 Ga. 95, 718 S.E.2d 237 (2011).

11.

All property held by any United Methodist Church is held in trust for the benefit of the entire denomination. United Methodist Churches are governed by a hierarchical structure as set forth in a book known as The Book of Discipline. The Book of Discipline governs the rules of the whole Church. As it pertains to assets held by individual local churches, ¶ 2501 of The Book of Discipline provides:

1. All properties of United Methodist local churches and other United Methodist agencies and institutions are held, in trust, for the benefit of the entire denomination, and ownership and usage of church property is subject to the Discipline. This trust requirement is an essential element of the historic polity of The United Methodist Church or its predecessor denominations or communions and has been a part of the Discipline since 1797. It reflects the connectional structure of the Church by ensuring that

the property will be used solely for purposes consonant with the mission of the entire denomination as set forth in the Discipline. The trust requirement is thus a fundamental expression of United Methodism whereby local churches and other agencies and institutions within the denomination are both held accountable to and benefit from their connection with the entire worldwide Church.

In consonance with the legal definition and self-understanding of the United Methodist Church (see ¶ 141), and with particular reference to its lack of capacity to hold title to property, the United Methodist Church is organized as a connectional structure, and titles to all real and personal, tangible and intangible property held at jurisdictional, annual, or district conference levels, or by a local church or charge, or by an agency or institution of the Church, shall be held in trust for The United Methodist Church and subject to the provisions of its Discipline. Titles are not held by The United Methodist Church (see ¶ 807.1) or by the General Conference of The United Methodist Church, but instead by the incorporated conferences, agencies, or organizations of the denomination, or in the case of unincorporated bodies of the denomination, by boards of trustees established for the purpose of holding and administering real and personal, tangible and intangible property.

2. The trust is and always has been irrevocable, except as provided in the Discipline. Property can be released from the trust, transferred free of trust or subordinated to the interests of creditors and other third parties only to the extent authority is given by the Discipline.

3. Local churches and other United Methodist agencies and institutions may acquire, hold, maintain, improve, and sell property for purposes consistent with the mission of the Church, unless restricted or prevented by the Discipline.

12.

Petitioner is charged with safeguarding the rights and interests of the United Methodist Congregation. ¶ 2512 of The Book of Discipline requires Petitioner to “intervene and take all necessary legal steps to safeguard and protect the interests and

rights of the annual conference anywhere and in all matters relating to property and rights to property whether arising by gift, devise, or otherwise, or where held in trust or established for the benefit of the annual conference or its membership.”

13.

Petitioner was required to take ownership of Respondent’s assets because Respondent ceased acting as a United Methodist Church and violated The Book of Discipline when it:

- a. hired a lay “Chief Executive Officer/Lead Preacher” for the United Methodist pulpit;
- b. changed Mt. Bethel United Methodist Church, Inc.’s governance structure when a seven-person executive committee was formed without convening a required “Charge Conference;”
- c. refused a properly appointed pastor and sought to limit the role of the appointed pastor-in-charge;
- d. failed to convene a “Charge Conference” necessary to properly elect a new Staff/Pastor-Parish Relations Committee Chair; and,
- e. signed a 20-year lease of improved real estate to Mt. Bethel Christian Academy, Inc. (“Academy”) without complying with the policies outlined in The Book of Discipline.

14.

¶ 2549.3.b of The Book of Discipline provides:

If at any time between sessions of annual conference, if the presiding bishop, the majority of the district superintendents, and the appropriate

district board of church location and building all consent, they may, in their sole discretion, declare that exigent circumstances exist that require immediate protection of the local church's property, for the benefit of the denomination. In such case, title to all the real and personal, tangible and intangible property of the local church shall immediately vest in the annual conference board of trustees who may hold or dispose of such property in its sole discretion, subject to any standing rule of the annual conference. Exigent circumstances include, but are not limited to, situations where a local church no longer serves the purpose for which it was organized or incorporated [cites omitted] or where the local church property is no longer used, kept, or maintained by its membership as a place of divine worship of The United Methodist Church. When it next meets, the annual conference shall decide whether to formally close the local church

15.

On June 18, 2021, Petitioner formally demanded that Respondent immediately cease and desist its non-compliant actions and take all needful and necessary affirmative steps to come into immediate compliance with The Book of Discipline, as shown by Exhibit A which is attached hereto and incorporated herein by express reference.

16.

On June 18, 2021, Petitioner advised Respondent that time is of the essence and demanded its immediate cooperation and affirmative action.

17.

On June 18, 2021, Petitioner advised Respondent:

Please know that your district superintendent, Jessica Terrell, stands ready, willing, and able to assist you in resolving these compliance issues. The Board would request your written response and your proposed resolution of these issues within ten days of your receipt of this letter.

18.

Despite this offer of assistance, Respondent failed to become compliant with The Book of Discipline.

19.

Thereafter, the Bishop and Appointive Cabinet of the Conference met via Zoom on July 9, 2021.

20.

At that July 9, 2021 meeting, the report of The District Committee on Building and Location of the Central West District was received and it recommended the closure of Respondent because of exigent circumstances pursuant to ¶ 2549.3.b of The Book of Discipline.

21.

At that same July 9, 2021 meeting and consistent with the recommendation of The District Committee on Building and Location of the Central West District, the Bishop and Appointive Cabinet unanimously determined that:

- a. Respondent's decision to lease real property for a term of twenty (20) years is not in compliance with ¶¶ 2541.1, .2 or .3 of The Book of Discipline;
- b. Respondent changed its structure without Charge Conference approval when it formed a seven-person "executive committee" with full authority and with no time limit;
- c. Respondent refused to accept appointed clergy;

- d. Respondent refused a properly appointed interim pastor;
- e. Respondent hired a lay “Chief Executive Officer/Lead Preacher” for its United Methodist pulpit without required approvals;
- f. Respondent failed to properly elect a Staff/Pastor-Parish Relations Committee Chair; and,
- g. Closure of Respondent is required pursuant to ¶ 2549.3.b of The Book of Discipline, and all assets of Respondent, both real and personal, tangible and intangible are transferred to Petitioner.

22.

Petitioner has a fiduciary duty to take all necessary legal steps to safeguard and protect the interests and rights of The Church between sessions of annual conference in all matters relating to the assets held in trust by individual churches.

23.

The assets under the control of Respondent and titled in the name of “Mt. Bethel United Methodist Church, Inc.” are in fact held in trust for the benefit of The Church and are subject to The Book of Discipline.

24.

On July 12, 2021, Petitioner demanded possession of the assets, as shown by Exhibit B, which is attached hereto and incorporated herein by express reference.

25.

Real property, including but not limited to church buildings utilized by Respondent for worship, is held, maintained, and used pursuant to the trust, and is

more particularly described in Exhibit C, which is attached hereto and incorporated herein by express reference.

26.

Personal property, tangible or intangible, whether a direct or indirect interest, whether a legal interest, an equitable interest, or a beneficial interest, is held, maintained, and used by Respondent pursuant to the trust.

27.

Respondent has used and continues to use property and interests in property for purposes other than the mission and ministry of The Church in violation of The Book of Discipline. Said use constitutes a breach of fiduciary duty.

28.

This Court's interlocutory and permanent injunction is necessary to unravel Respondent's previous breaches of fiduciary duty and to prevent future breaches of fiduciary duty.

29.

Many of Respondent's former members wish to continue within The Book of Discipline and to continue the mission of The Church.

30.

In order to make provision for the spiritual guidance and pastoral care of many of Respondent's former members, it is essential that this Court declare that all the assets are the property of Petitioner.

31.

In order to fulfill its duties and to care for many of the Respondent's former members, Petitioner is entitled to the exclusive possession and use of all of Respondent's assets including "Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church", itself.

32.

An actual controversy exists between Petitioner and Respondent.

33.

Declaratory judgment is necessary and appropriate to set forth and determine the Petitioner's ownership of the assets and rights thereto.

34.

As a result of Respondent's continued use and control of the assets held by it in derogation of the trust, Petitioner has suffered and will continue to suffer irreparable injury.

COUNT ONE - DECLARATORY JUDGMENT

35.

Averments 1 through 34 are incorporated herein.

36.

This Court should declare the rights of Petitioner to the assets held by Respondent.

COUNT TWO - ACCOUNTING

37.

Averments 1 through 36 are incorporated herein.

38.

This Court should enter its Order requiring Respondent to make an accounting to
Petitioner for each of the assets.

COUNT THREE – INTERLOCUTORY INJUNCTION

39.

Averments 1 through 38 are incorporated herein

40.

Respondent's breach of fiduciary duty authorizes the entry of an interlocutory
injunction restraining and enjoining Respondent from further interference with
Petitioner's ownership, possession, and control of the assets until further order of this
Court.

COUNT FOUR - PERMANENT INJUNCTION

41.

Averments 1 through 40 are incorporated herein.

42.

Petitioner is entitled to the entry of a permanent injunction restraining and
enjoining Respondent from exercising or claiming to exercise any right, record title,
ownership, possession, enjoyment, use, and control to and of the assets.

Petitioner is entitled to the entry of an affirmative permanent injunction requiring that Respondent formally transfer all record title, possession, enjoyment, use, and control to each asset and of each asset to Petitioner, including transfer of "Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church", itself.

WHEREFORE, Petitioner prays:

- a. Summons and Process issue and Respondent be served with same as required by law;
- b. This Court's Rule Nisi issue requiring Respondent to appear before the assigned Judge and show cause, if any it may, why this Court's Interlocutory Injunction should not issue as set out herein;
- c. This Court enter Declaratory Judgment as set out herein;
- d. This Court enter an Order requiring an Accounting as set out herein;
- e. This Court enter an Interlocutory Injunction as set out herein;
- f. This Court enter a Permanent Injunction as set out herein; and,
- g. This Court grant such other and further relief it deems reasonable and appropriate.

This 8th day of September, 2021.



T. E. Cauthorn
Georgia Bar Number 117400
tec@cauthorannoher.com
Brittany E. Schmidt

Georgia Bar Number 774837
bes@cauthornnohr.com

CAUTHORN NOHR & OWEN
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Marietta, Georgia 30060
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770-528-0160 [fax]
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/s/ J. Wickliffe Cauthorn
Georgia Bar Number 907911
wick@thecauthornfirm.com

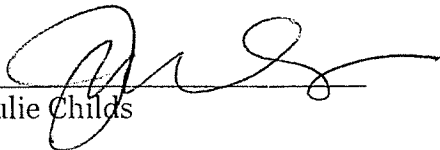
THE CAUTHORN FIRM
201 Cherokee Street
Marietta, Georgia 30060
404-991-2700
404-920-5609 [fax]
www.thecauthornfirm.com

STATE OF GEORGIA
COUNTY OF COBB

VERIFICATION

Personally appeared before me, Julie Childs, who after first being placed under oath deposes and says:

1. I am sui juris and suffer under no legal disability;
2. I am the Chair of the Trustees of the North Georgia Conference of the United Methodist Church, Inc. ("Petitioner");
3. I am delegated the authority by the Petitioner to take such actions as are necessary, including without limitation the commencement of litigation, to protect the assets of Petitioner;
4. I am authorized to verify the within and foregoing Petition; and,
5. The averments set forth in the within and foregoing Petition are true and correct to the best of my knowledge, information, and belief.


Julie Childs

Sworn to and subscribed before me by
Julie Childs this 8th day of September, 2021.


Notary Public
My Commission expires:

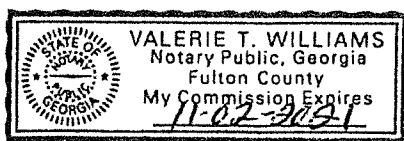


EXHIBIT A

CAUTHORN NOHR & OWEN

212 CHURCH STREET
MARIETTA, GEORGIA 30060

T.E. CAUTHORN
JASON L. NOHR
LISA A. OWEN
BETTINA S. DAVIES
MARIJANE E. CAUTHORN
BRITTANY E. SCHMIDT

(770) 528-0150
FAX: (770) 528-0160
WWW.CAUTHORNNOHR.COM

June 18, 2021

Via First Class Mail and Certified Mail as follows:

Certified Mail No.

7006 0100 0001 1493 7331

Return Receipt Requested

Clayton Carmack, Registered Agent for
Mt. Bethel United Methodist Church, Inc.
326 Roswell Street, Suite 100
Marietta, GA 30060

Certified Mail No.

7006 0100 0001 1493 7393

Return Receipt Requested

Dan Boswell, CEO of Mt. Bethel United
Methodist Church, Inc.
4385 Lower Roswell Rd.
Marietta, GA 30068

Certified Mail No.

7006 0100 0001 1493 7379

Return Receipt Requested

Mark Droege, CFO of Mt. Bethel United
Methodist Church, Inc.
4385 Lower Roswell Rd.
Marietta, GA 30068

Certified Mail No.

7006 0100 0001 1493 5672

Return Receipt Requested

Al Stark, Secretary of Mt. Bethel United
Methodist Church, Inc.
4260 Creek Haven Dr.
Marietta, GA 30062

RE: Mt. Bethel United Methodist Church Compliance with the Book of
Discipline

Clayton Carmack, Dan Boswell, Mark Droege, and Al Stark:

Cauthorn Nohr & Owen and I have been retained by the Board of Trustees of the North Georgia Conference of the United Methodist Church ("the Board") with regard to Mt. Bethel United Methodist Church ("Mt. Bethel") compliance with the Book of Discipline of the United Methodist Church ("the Discipline"). Please direct all future correspondence and communication regarding this matter to me.

Mt. Bethel is a valued member of the North Georgia Conference of the United Methodist Church ("the Conference") with a longstanding history. The Board has a fiduciary duty to the Conference to "take all necessary legal steps to safeguard and protect the interests and rights of the annual conference anywhere and in all matters relating to property and rights to property." (Discipline, ¶2512.4.) This duty of the Board includes ensuring that the properties of all local churches, including Mt. Bethel,



Clayton Carmack, Registered Agent
Dan Boswell, CEO
Mark Droege, CFO
Al Stark, Secretary
June 18, 2021
Page 2 of 3

are “held, *in trust*, for the benefit of the entire denomination, and ownership and usage of church property is subject to the *Discipline*.” (Discipline, ¶2501.1).

The Board is informed that Mt. Bethel is not in compliance with the Discipline, specifically:

- Mt. Bethel’s decision this week to lease its real property to Mt. Bethel Christian Academy, Inc. for a term of twenty (20) years is not in compliance with ¶2541.1, .2 or .3 of the Discipline, in that an “executive committee” approved the lease without a charge conference and without the consent of the District Superintendent thereby creating an exigent circumstance which threatens the Conference’s beneficial interest in the leased real property under ¶ 2549.3.b of the Discipline;
- Mt. Bethel changed its structure without charge conference approval when it formed its seven person “executive committee” with full authority and no time limit on terms;
- Mt. Bethel has indicated its refusal to accept appointed clergy;
- Mt. Bethel has not accepted the properly appointed interim pastor;
- Mt. Bethel has hired a lay “Chief Executive Officer/Preaching Pastor” for its United Methodist pulpit without required approvals;
- The Board is informed that Mt. Bethel has made plans to use credit lines, transfer interests in assets, and sell property without administrative or charge conference approvals; and,
- Mt. Bethel has failed to properly elect a new Staff/Pastor-Parish Relations Committee chair, when the previous chair stepped down.

As a result of the foregoing, Mount Bethel is ineligible at this time, among other things, to pursue disaffiliation under ¶ 2553 of the Discipline, as the Board has specifically affirmed that local churches seeking disaffiliation under ¶ 2553 of the Discipline must first demonstrate compliance with the Discipline. Furthermore, because Mt. Bethel has breached its obligations as detailed herein, it has exposed itself to a declaration of exigent circumstances pursuant to ¶ 2549.3.b of the Discipline. While any such declaration of exigent circumstances is within the sole discretion of the Bishop, Cabinet, and District Board of Church Location and Building, any such declaration would result in an immediate transfer of all assets of Mt. Bethel to the Board for disposition.



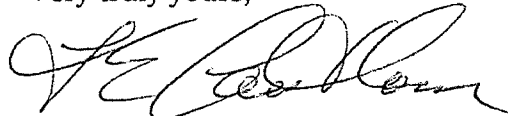
Clayton Carmack, Registered Agent
Dan Boswell, CEO
Mark Droege, CFO
Al Stark, Secretary
June 18, 2021
Page 3 of 3

The Board hereby demands that Mt. Bethel immediately cease and desist its non-compliant actions and take all affirmative steps that are needful and necessary to come into immediate compliance with the Discipline. Because of the extraordinary importance of these matters to all members of the United Methodist Church, to the Conference, to the Board, and to Mt. Bethel, time is of the essence and your immediate cooperation and affirmative action is required.

Please know that your district superintendent, Jessica Terrell, stands ready, willing, and able to assist you in resolving these compliance issues. The Board would request your written response and your proposed resolution of these issues within ten days of your receipt of this letter.

Thank you for your attention to these important matters.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T.E. Cauthorn', written in a cursive style.

T.E. Cauthorn

TEC

cc via e-mail:

Chair, Board of Trustees, North Georgia Conference;
Bishop, North Georgia Conference;
Chancellor, North Georgia Conference;
CEO, Mt. Bethel United Methodist Church, Inc.; and,
Registered Agent, Mt. Bethel United Methodist Church, Inc.

EXHIBIT B

CAUTHORN NOHR & OWEN

212 CHURCH STREET
MARIETTA, GEORGIA 30060

T.E. CAUTHORN
JASON L. NOHR
LISA A. OWEN
BETTINA S. DAVIES
MARIJANE E. CAUTHORN
BRITTANY E. SCHMIDT

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WWW.CAETHORNNOHR.COM

July 12, 2021
VIA Hand-Delivery:

Robert D. Ingram
Attorney at Law
Moore Ingram Johnson & Steele, LLP
326 Roswell Street, Suite 100
Marietta, GA 30060

RE: Mt. Bethel United Methodist Church

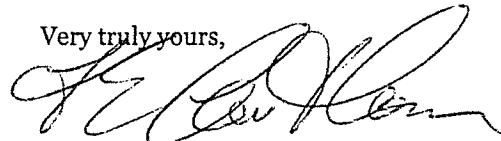
Robert Ingram:

On Friday, July 9, 2021, the Bishop and the Appointive Cabinet of the North Georgia Conference of the United Methodist Church met via Zoom and unanimously voted to close Mt. Bethel United Methodist Church located in eastern Cobb County ("Mt. Bethel") due to exigent circumstances and transferred all assets of said church to my client, the Trustees of the North Georgia Conference of the United Methodist Church ("Trustees"), as provided by the Book of Discipline, ¶ 2549.3.b.

The July 9, 2021 action has resulted in an immediate transfer of all assets of your client to the Trustees. The Trustees are mindful of the fact that employees, families, and members of Mt. Bethel and students and families connected to the Mt. Bethel Christian Academy ("Academy") will continue to participate in employment, instruction, activities, and worship at their church and their Academy. My client intends that none of their employment, instruction, activities, and worship be affected in any way by the closure and transfer of assets and by the operations going forward under the auspices of the Trustees and Steven Usry.

My client hereby demands that Mt. Bethel immediately take all action needful and necessary to deliver to my client within ten (10) days hereof lists identifying all of its assets and recognizing the transfer of each asset to the Trustees. My client asks that Mt. Bethel cooperate with the Trustees' future steps to preserve employment, participation, and worship at the church and the Academy.

Very truly yours,



T.E. Cauthorn

TEC/
Copy via e-mail: Robert D. Ingram

EXHIBIT C

Tract One - 4505 LOWER ROSWELL RD – Tax Parcel 01001000090:

All of that tract or parcel of land lying and being in Land Lot 10 of the 1st District, 2nd Section of Cobb County, Georgia and being more particularly described as follows:

Commencing at a point at the Southeastern intersection of Cagle Road (40' right-of-way) and the Northwestern intersection of Lower Roswell Road (60' right-of-way); thence continuing along the right-of-way line of Lower Roswell Road South 82°46'43" West a distance of 236.96 feet to an iron pin found and the POINT OF BEGINNING; thence continuing along the Northerly right-of-way of Lower Roswell Road South 82°46'43" West a distance of 100.21 feet to a right-of-way monument; thence leaving the right-of-way of Lower Roswell Road North 01°10'56" East a distance of 387.72 feet to an iron pin set; thence North 85°21'13" East a distance of 113.14 feet to an iron pin found; thence South 05°36'56" East a distance of 182.56 feet to an open top found; thence South 04°12'40" East a distance of 19.62 feet to an iron pin found; thence South 88°42'16" West a distance of 35.89 feet to an iron pin found; thence South 01°30'07" West a distance of 182.20 feet to an iron pin found on the Northerly right-of-way of Lower Roswell Road and the POINT OF BEGINNING.

Said tract contains 0.997 acres as shown on that certain survey prepared for Mt. Bethel United Methodist Church, Inc. and Commonwealth Land Title Insurance Company by West Georgia Surveyors, Inc. bearing the seal and certification of Larry D. Neese, Georgia Registered Land Surveyor No. 2235, dated January 24, 2006, last revised February 6, 2006.

TOGETHER WITH all land owned by Hussein Sultan in Land Lot 10 of the 1st District, 2nd Section of Cobb County, Georgia, which is hereby conveyed in order to convey any gaps and gore in the preceding legal description.

Tract Two - 4525 LOWER ROSWELL RD – Tax Parcel 01001000100:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 10 of the 1st District, 2nd Section, of Cobb County, Georgia, more particularly described as follows:

BEGINNING at a Right-of-Way monument found 25.38' West from the intersection of the Northern Right-of-Way line of Lower Roswell Road (60' R/W) and the Western Right-of-Way line of Cagle Road (40' R/W) if extended; thence S 85°10'51" W along the Northern Right-of-Way line of Lower Roswell Road (60' R/W) a distance of 213.06' to a 1/2" rebar set; thence N 03°54'18" E leaving said Right-of-Way a distance of 182.14' to a 1/2" rebar set; thence S 88°44'49" E a distance of 36.00' to a 5/8" rebar found; thence N 01°57'22" W a distance of 19.65' to a 1" open top pipe found; thence N 85°05'45" E a distance of 167.66' to a 1/2" rebar set on the Western Right-of-Way line of Cagle Road (40' R/W); thence S 06°37'32" E along said Right-of-Way a distance of 171.08' to a 1/2" rebar set; thence S 39°21'09" W a distance of 35.01' to a Right-of-Way monument found; which is the point of beginning, having an area of 42195.0 SQ. FT. square feet, 0.97 acres; and being shown on that certain Survey Plat For: Mt. Bethel United Methodist Church, Inc., a Georgia non-profit corporation and Lawyers Title Insurance Corporation, dated June 9, 2004, prepared by Georgia Land Surveying Co., Inc., Josh L. Lewis, III, GRLS No. 1751, which Survey is hereby made reference to and incorporated herein.

Tract Three - 4608 LOWER ROSWELL RD – Tax Parcel 01001000140:

ALL THAT TRACT or parcel of land lying and being in Land Lots 9 and 10 of the 1st District, 2nd Section, Cobb County, Georgia; and being more particularly described as follows:

Beginning at the northwest mitered intersection of the southerly right-of-way of Lower Roswell Road (variable R/W) with the westerly right-of-way of Woodlawn Drive (variable R/W); then traveling along the southerly right-of-way of Lower Roswell Road the following courses and distances:

THENCE South 58 degrees 52 minutes 11 seconds West for a distance of 128.63 feet to a point;

THENCE South 65 degrees 28 minutes 46 seconds West for a distance of 181.03 feet to the Point of Beginning; then leaving said right-of-way

THENCE South 01 degrees 45 minutes 06 seconds West for a distance of 78.66 feet to a point;

THENCE South 01 degrees 43 minutes 59 seconds West for a distance of 150.13 feet to a point;

THENCE South 87 degrees 54 minutes 47 seconds West for a distance of 23.43 feet to a point;

THENCE South 73 degrees 15 minutes 21 seconds West for a distance of 100.14 feet to a point;

THENCE South 56 degrees 42 minutes 07 seconds West for a distance of 56.71 feet to a point;

THENCE North 43 degrees 37 minutes 37 seconds West for a distance of 100.00 feet to a point;

THENCE North 44 degrees 50 minutes 20 seconds East for a distance of 38.11 feet to a point;

THENCE North 16 degrees 20 minutes 09 seconds West for a distance of 127.84 feet to a point on the southerly right-of-way of Lower Roswell Road (being a 60 foot right-of-way at this point); then traveling along said right-of-way

THENCE along a curve to the left having a radius of 1939.87 feet and an arc length of 267.67 feet, being subtended by a chord of North 70 degrees 39 minutes 49 seconds East for a distance of 267.46 feet to a point; then leaving said right-of-way

THENCE South 01 degrees 45 minutes 06 seconds West for a distance of 21.14 feet to the point of beginning.

Said property contains 1.205 acres more or less.

Said property being more particularly depicted on that certain Survey and Plat prepared for Mt. Bethel United Methodist Church, Inc. and Chicago Title Insurance Company dated May 23, 2001, prepared by Betterton Surveying & Design, Inc., Robert B. Betterton, G.R.L.S.#2496, which survey is hereby made reference to and incorporated herein.

Tract Four - 615 WOODLAWN DR – Tax Parcel 01001000510

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 10, 1st District, 2nd Section Cobb County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at a point of formed by the intersection of the southeasterly right-of-way of Lower Roswell Road and the westerly right-of-way of Woodlawn Drive, as if said right-of-ways were extended to form an angle instead of a curve; thence running southerly along the westerly right-of-way of Woodlawn Drive South 00 degrees 02 minutes 11 seconds West a distance of 16.56 feet to the POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING THUS ESTABLISHED, thence continuing southerly along the westerly right-of-way of Woodlawn Drive South 00 degrees 02 minutes 11 seconds West a distance of 207.73 feet to a five-eighth inch rebar set on the westerly right-of-way of Woodlawn Drive; thence leaving the westerly right-of-way of Woodlawn Drive and running South 89 degrees 10 minutes 41 seconds West a distance of 290.70 feet to a one-half inch found; thence North 01 degree 45 minutes 06 seconds East a distance of 78.66 feet to a five-eighth inch rebar set and being located on the southeasterly right-of-way of Lower Roswell Road; thence run northeasterly along the southeasterly right-of-way of Lower Roswell Road North 65 degrees 28 minutes 46 seconds East a distance of 181.03 feet to a five-eighth inch rebar set; thence continuing along the southeasterly right-of-way of Lower Roswell Road North 58 degrees 52 minutes 11 seconds a distance of 128.63 feet to a PK nail set; thence leaving the southeasterly right-of-way of Lower Roswell Road and run South 58 degrees 25 minutes 23 seconds East a distance of 15.94 feet to the TRUE POINT OF BEGINNING.

The afordescribed property contains 0.967 acres of land, more or less, and is more particularly shown and delineated on a plat of survey dated April 14, 2000, prepared for Mt. Bethel United Methodist Church, Inc. and Lawyers Title Insurance Corporation by HDR/WL Jorden, Bryant G. Kachel, Georgia Registered Land Surveyor No. 2700, which plat of survey is incorporated herein and by this reference made a part of this description; being improved property known as 615 Woodlawn Drive, Marietta, Georgia 30068.

The afordescribed property being the same property as conveyed to Robert Bennett (a/k/a H. Robert Bennett) and Tammy Bennett (a/k/a Tammy B. Bennett) from Tamra, Inc., a Georgia corporation by virtue of a Warranty Deed dated July 14, 1995 and recorded in the Office of the Clerk of Superior Court of Cobb County, Georgia in Deed Book 8986, Page 481.

Tract Five - JOHNSON FERRY RD – Tax Parcel 01006800020

All that tract or parcel of land lying and being in Land Lots 68 and 86 of the 1st District, 2nd Section of Cobb County, Georgia being a 1.5 acre tract, more or less, known as the Mt. Bethel Cemetery which is further described as being bounded on the west by Johnson Ferry Road; on the north by a private right of way owned by Atlanta Gas Light separating the subject property from the Northside / East Cobb Medical Center which medical center property is described in Deed Book 15186, Page 2528 Cobb County Deed Records; on the east by the Atlanta Swim Academy as owned by Ronald C. Grzelka and Barbara A. Grzelka and described at Deed Book 10967, Page 66, aforesaid records; and on the south by a Zaxbys Restaurant owned by GOFF 10, LLC and described at Deed Book 14248, Page 4147, aforesaid records.

Tract Six - 4451 Lower Roswell RD and 4385 Lower Roswell Rd – Comprising Tax Parcels 16104500020, 16104500030, and 1611160020:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 1115, 1116 and 1045, 2nd Section, 16th District, Cobb County, Georgia, containing 26.8007 acres as shown on that certain Boundary and Topographic Survey for Mount Bethel United Methodist Church prepared by Travis N. Pruitt, Sr., Georgia Registered Land Surveyor No. 1729 of Travis Pruitt & Associates, Inc., dated April 28, 2001, last revised December 10, 2001, and being more particularly described as follows:

BEGINNING at a 3" angle iron found and being the common corner of Land Lots 1045, 1046, 1115 and 1116;

Thence run North 00°20'30" East a distance of 581.78 feet to a point;

Thence run North 00°48'00" West a distance of 534.10 feet to a point;

Thence run North 01°21'30" East a distance of 51.06 feet to a point;

Thence run North 89°48'09" East a distance of 676.06 feet to a point;

Thence run South 01°54'41" West a distance of 7.56 feet to a point;

Thence run South 64°29'27" East a distance of 134.45 feet to a point;

Thence run South 45°29'46" East a distance of 587.69 feet to a nail and washer found;

Thence run South 77°26'00" West a distance of 364.07 feet to a nail and washer found;

Thence run South 00°21'03" West a distance of 680.67 feet to a nail and washer found on the northerly right-of-way line of Lower Roswell Road (right-of-way varies);

Thence run South 82°47'05" West a distance of 240.63 feet to a point;

Thence run North 00°07'29" East a distance of 15.12 feet to a point;

Thence run South 82°47'05" West a distance of 222.93 feet to a point;

Thence run along the arc of a curve to the left, said arc having a radius of 2231.40 feet and an arc length of 205.09 feet and being subtended by a chord bearing South 80°09'06" West a distance of 205.02 feet to a point;

Thence run South 00°17'54" East a distance of 15.04 feet to a point;

Thence run along the arc of a curve to the left, said arc having a radius of 1227.00 feet and an arc length of 163.10 feet and being subtended by a chord bearing South 75°48'06" West a distance of 162.98 feet to a point;

Thence leaving the northerly right-of-way line of Lower Roswell Road (right-of-way varies) run North 15°57'54" West a distance of 209.50 feet to a point;

Thence run South 89°36'54" East a distance of 23.40 feet to a 3" angle iron found and the common corner of Land Lots 1045, 1046, 1115 and 1116 and the POINT OF BEGINNING.

TOGETHER WITH the Sewer Easement contained in that Sanitary Sewer Easement contained in that Grant of Easement and Agreement by and between Charlotte H. Davis and Mt. Bethel United Methodist Church, Inc., dated March 30, 2001, recorded at Deed Book 13350, Page 1404, Cobb County, Georgia Records.

Tract Seven - 630 FAIRFIELD DR NE - Tax Parcel 16104600020:

TRACT ONE

All that tract or parcel of land lying and being in Land Lot 1046, 16th District, 2nd Section, Cobb County, Georgia, being shown on plat of survey for Robert E. Cook, Jr. and James L. Cook by West Georgia Engineers & Surveyors, Inc., dated June 4, 1984, and being more particularly described as follows;

BEGINNING at an iron pin on the northeasterly side of Fairfield Drive 380.03 feet northwesterly from the intersection of the northeasterly side of Fairfield Drive and the northerly side of Lower Roswell Road; thence running North 05 degrees 25 minutes 00 seconds West along the northeasterly side of Fairfield Drive a distance of 107.17 feet to an iron pin; thence North 84 degrees 39 minutes 00 seconds East a distance of 194.5 feet to an iron pin on the east Land Lot line of Land Lot 1046; thence South 00 degrees 20 minutes 00 seconds West along the east Land Lot line of Land Lot 1046 a distance of 111.90 feet to an iron pin; thence South 85 degrees 57 minutes 25 seconds West a distance of 110.9 feet to an iron pin; thence South 85 degrees 57 minutes 25 seconds West a distance of 72.44 feet to an iron pin and the point of beginning.

TRACT TWO

All that tract or parcel of land lying and being in Land Lot 1046, 16th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the northeasterly side of Fairfield Drive 357.52 feet northwesterly from the intersection of the northeasterly side of Fairfield Drive and the northerly side of Lower Roswell Road; thence running North 05 degrees 25 minutes 00 seconds West along the northeasterly side of Fairfield Drive a distance of 22.51 feet to an iron pin; thence North 85 degrees 57 minutes 25 seconds East a distance of 72.44 feet to an iron pin; thence South 70 degrees 47 minutes 55 seconds West a distance of 75.46 feet to an iron pin and the point of beginning.

Tract Eight - 684 FAIRFIELD DR NE – Tax Parcel 16104600230:

All that tract or parcel of land lying and being in Land Lot 1046 of the 16th District, 2nd Section of Cobb County, Georgia and being Lot 74, Block "O" of Indian Hills Country Club Subdivision, Unit Eight, as per plat recorded in Plat Book 57, page 3, Cobb County, Georgia records which plat is made a part hereof by this reference

Tract Nine - 672 FAIRFIELD DR NE - Tax Parcel 16104600240:

All that tract or parcel of land lying and being in Land Lot 1046 of the 16th District, 2nd Section of Cobb County, Georgia, containing 0.53 acres, as shown on that survey for Mount Bethel United Methodist Church, prepared by Georgia Land Surveying Co., Inc., bearing the seal and certification of Josh L. Lewis, III, Georgia Registered Land Surveyor No. 1761, dated May 30, 2003, and being more particularly described as follows:

BEGIN at an iron pin placed on the eastern right-of-way line of Fairfield Drive (50' right-of-way), said iron pin being 708.0 feet from the intersection of Fairfield Drive (50' right-of-way) and Lower Roswell Road (70' right-of-way), as measured in a northerly direction along the eastern right-of-way line of Fairfield Drive (50' right-of-way); thence travel along the eastern right-of-way line of Fairfield Drive (50' right-of-way) North 00 degrees 40 minutes 53 seconds West, a distance of 115.33 feet to an iron pin found; thence leave the eastern right-of-way line of Fairfield Drive (50' right-of-way) and travel North 89 degrees 29 minutes 22 seconds East, a distance of 203.19 feet to an iron pin found on the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045; run thence along the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045 South 00 degrees 20 minutes 30 seconds West, a distance of 115.04 feet to a point in fence post; thence leave the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045 and travel South 89 degrees 24 minutes 08 seconds West, a distance of 201.14 feet to an iron pin placed on the eastern right-of-way line of Fairfield Drive (50' right-of-way), said iron pin being the POINT OF BEGINNING.

Tract Ten - 660 FAIRFIELD DR NE – Tax Parcel 16104600250:

ALL THAT TRACT or parcel of land lying and being in Land Lot 1046 of the 16th District, 2nd Section of Cobb County, Georgia, being Unit 8, Block O, Lot 76, Indian Hills Country Club Subdivision, and being more particularly described as follows:

BEGINNING at a point on the easterly side of a right-of-way marker on Fairfield Drive, 603.0 feet north of the right-of-way of Lower Roswell Road; thence running north along the right-of-way line on Fairfield Drive, 105.0 feet to an iron pin; thence east 202.56 feet to an iron pin being the northern line of Land Lot 1046 (said dimension being recorded as 201.6 feet in a Warranty Deed dated February 8, 1973, recorded in Cobb County Records, Deed Book 1397, Page 547); thence running southerly along the northern line of Land Lot 1046, 105.0 feet to an iron pin; thence west 202.55 feet (said dimension being recorded as 200.1 feet in a Warranty Deed dated February 8, 1973, recorded in Deed Book 1397, Page 547), to the Point of Beginning, being known as 660 Fairfield Drive, according to the present system of numbering houses in Cobb County, Georgia.

THE ABOVE-DESCRIBED property is the same property as described in a warranty deed dated June 29, 1973 and recorded in Deed Book 1439, Page 640, re-recorded in Deed Book 1448, Page 736, Cobb County Records. The parties hereto acknowledge vague legal description in said prior warranty deed, which omits a reference to Cobb County in paragraph one of the legal description and makes a reference to "DeKalb" County in paragraph two of the legal description when in fact the said reference should read "Cobb" County. It is the further intent of this deed, therefore, to ascertain the correct legal description as the said property should be, due to the fact that Contemporary Development, Inc. is no longer doing business and the fact that a corrective warranty deed cannot be obtained.

Tract Eleven - 648 FAIRFIELD DR NE – Tax Parcel 16104600260:

All that tract or parcel of land lying and being in Land Lot 1046 of the 16th Land District, 2nd Section, Cobb County, Georgia, being Lot 77, Block O, Indian Hills Country Club, Unit Eight, as per plat recorded in Plat Book 57, page 3, Cobb County, Georgia Records, and being more particularly described as follows:

BEGIN at a 3/4" open top found on the eastern right-of-way line of Fairfield Drive (50' right-of-way), said open top being 486.10 feet from the intersection of Fairfield Drive (50' right-of-way) and Lower Roswell Road, as measured in a northerly direction along the eastern right-of-way line of Fairfield Drive (50' right-of-way); thence travel along the eastern right-of-way line of Fairfield Drive (50' right-of-way) the following courses and distances: North 05 degrees 58 minutes 53 seconds West, a distance of 8.67 feet to a point; along the arc of a curve to the right, said arc having a distance of 96.05 feet and being subtended by a chord having a chord bearing of North 02 degrees 42 minutes 58 seconds West and a chord distance of 96.02 feet, to a point; and North 01 degrees 07 minutes 03 seconds West, a distance of 11.96 feet to a 3/8" rebar set; thence leave the eastern right-of-way line of Fairfield Drive (50' right-of-way) and travel North 88 degrees 54 minutes 57 seconds East a distance of 200.10 feet to a point located on the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045; run thence along the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045 South 00 degrees 20 minutes 30 seconds west, a distance of 100.00 feet to a 1" crimp top found; thence leave the eastern land lot line of Land Lot 1046 and the western land lot line of Land Lot 1045 and travel South 84 degrees 01 minutes 37 seconds West a distance of 194.84 feet to a 3/4" open top found on the eastern right-of-way line of Fairfield Drive (50' right-of-way), said 3/4" open top found being the POINT OF BEGINNING.

Said tract contains 0.49 acres as shown on that Survey for Mount Bethel United Methodist Church, prepared by Georgia Land Surveying Co., Inc., bearing the seal and certification of Josh L. Lewis, III, Georgia Registered Land Surveyor No. 1761, dated September 12, 2001, which survey is hereby made reference to and incorporated herein.

Tract Twelve - FAIRFIELD DR NE - Tax Parcel 16104600480:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1046, 16th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:

COMMENCE at an iron pin found and being the common corner of Land Lots 1045, 1046, 1115 and 1116; thence South 89 degrees 19 minutes 55 seconds West along the common land lot lines of Land Lots 1046 and 1115 a distance of 170.52 to an iron pin found and being located on the easterly right-of-way of Fairfield Drive (said right-of-way being 50.00 feet in width); thence North 05 degrees 50 minutes 55 seconds West along the easterly right-of-way of Fairfield Drive a distance of 103.62 feet to an iron pin found; thence North 70 degrees 22 minutes 47 seconds East a distance of 75.46 feet to an iron pin found; thence North 85 degrees 45 minutes 40 seconds East a distance of 111.02 feet to an iron pin placed and being located on the common land lot line of Land Lots 1045 and 1046; thence South 00 degrees 18 minutes 48 seconds West along the common land lot lines of Land Lots 1045 and 1046 a distance of 134.64 feet to an iron pin found and being the TRUE POINT OF BEGINNING.

The aforescribed property contains 0.508 acres of land more or less and is more particularly delineated and shown on as Parcel "C" on a plat of survey dated October 23, 1989, prepared for Mt. Bethel United Methodist Church, Inc., The First National Bank of Atlanta and Lawyers Title Insurance Corporation by Watts & Browning Engineers, Inc. Gary Gillespie, Georgia Land Surveyor's No. 2121, which plat is incorporated herein by this reference and made a part of this legal description.

Tract Thirteen - 4345 LOWER ROSWELL RD – Tax Parcel 16111500150:

All that tract or parcel of land lying and being in Land Lots 1115 and 1116 of the 16th Land District, 2nd Section, Cobb County, Georgia, being more particularly described as follows:

Begin at the land lot corner common to Land Lots 1045, 1116, 1115 and 1046 and travel in a westerly direction along the southern land lot line of Land Lot 1046 and the northern land lot line of Land Lot 1115 South 89 degrees 28 minutes 09 seconds West a distance of 23.40 feet to a point and the TRUE POINT OF BEGINNING; thence leave the southern land lot line of Land Lot 1046 and the northern land lot line of Land Lot 1115 and travel South 15 degrees 49 minutes 07 seconds East a distance of 209.50 feet to a point located on the northern right-of-way line of Lower Roswell Road (variable right-of-way); run thence along the northern right-of-way line of Lower Roswell Road (variable right-of-way) along the arc of a curve to the left, said arc having a distance of 106.65 feet and being subtended by a chord having a chord bearing of South 71 degrees 45 minutes 16 seconds West and a chord distance of 106.64 feet, to a point located at the mitered intersection of Lower Roswell Road (variable right-of-way) and Fairfield Drive (variable right-of-way) (a public right-of-way); thence travel along the mitered intersection of Lower Roswell Road (variable right-of-way) and Fairfield Drive (variable right-of-way) (a public right-of-way) North 64 degrees 03 minutes 28 seconds west a distance of 35.10 feet to a point located on the eastern right-of-way line of Fairfield Drive (variable right-of-way) (a public right-of-way); thence travel along the eastern right-of-way line of Fairfield Drive (variable right-of-way) the following courses and distances: North 14 degrees 05 minutes 16 seconds West a distance of 140.92 feet, North 35 degrees 07 minutes 17 seconds West a distance of 47.82 feet, and along the arc of a curve to the right, said arc having a distance of 42.79 feet and being subtended by a chord having a chord bearing of North 12 degrees 14 minutes 04 seconds West and a chord distance of 42.70 feet, to a ½" rebar found on the northern land lot line of Land Lot 1115 and the southern land lot line of Land Lot 1046; run thence along the northern land lot line of Land Lot 1115 and the southern land lot line of Land Lot 1046 North 89 degrees 11 minutes 24 seconds East a distance of 146.60 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract contains 0.700 acres as shown on that Survey for Mount Bethel United Methodist Church, prepared by Georgia Land Surveying Co., Inc., bearing the seal and certification of Josh L. Lewis, III, Georgia Registered Land Surveyor No. 1761, dated September 12, 2001, which survey is hereby made reference to and incorporated herein.

Tract Fourteen - 4385 LOWER ROSWELL RD - Tax Parcel 16111600030:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 1115 and 1116 of the 16th District, 2nd Section, Cobb County, Georgia, as shown on a plat of same made by Lane S. Bishop, Surveyor, dated August 30, 1978, being more particularly described as follows:

BEGINNING at a point on the northeasterly side of Lower Roswell Road (also known as South Roswell Road) a distance of 131 feet from the intersection of the northerly side of said road and the easterly side of Fairfield Drive at an iron pin; thence north 13 degrees 40 minutes west a distance of 209.5 feet to the north original line of Land Lot 1115, thence south 87 degrees 19 minutes east along said north land lot line of Land Lots 1115 and 1116 a distance of 214.8 feet to an iron pin; thence south 2 degrees 0 minutes west a distance of 160 feet to the northerly right-of-way of Lower Roswell Road; thence southwesterly along the arc of the right-of-way of said road a distance of 163.1 feet to the iron pin and the point of beginning.

The aforescribed property is more particularly delineated and shown on a Plat of Survey recorded in the Office of the Clerk of Superior Court of Cobb County, Georgia, in Plat Book 71, Page 166, which plat of survey is incorporated herein and by this reference made a part of this description, and is also the same property as conveyed to Leslie Pearl Bowen by Deed of Assent dated September 8, 1978, recorded in Deed Book 1930, Page 698, aforesaid records.

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

THE TRUSTEES OF THE NORTH
GEORGIA CONFERENCE OF THE
UNITED METHODIST CHURCH, INC.,

PETITIONER,

vs.

MT. BETHEL UNITED METHODIST
CHURCH, INC. D/B/A MT. BETHEL
UNITED METHODIST CHURCH,

RESPONDENT.

CIVIL ACTION FILE NUMBER:

21-106801-28

ACKNOWLEDGMENT OF SERVICE

Respondent, Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church, hereby acknowledges personal service of the Summons, Petition for Declaratory Judgment, Accounting, and Interlocutory and Permanent Injunction, and Disclosure Statement in the above-styled matter. By executing this Acknowledgment of Service Respondent waives formal service as fully and completely as if he had been served by duly constituted authority in Georgia.

This ____ day of September, 2021.

MOORE INGRAM JOHNSON & STEELE, LLP

Robert D. Ingram
Georgia Bar No. 383405
326 Roswell Street, Suite 100
Marietta, GA 30060

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

THE TRUSTEES OF THE NORTH
GEORGIA CONFERENCE OF THE
UNITED METHODIST CHURCH, INC.,

PETITIONER,

vs.

MT. BETHEL UNITED METHODIST
CHURCH, INC. D/B/A MT. BETHEL
UNITED METHODIST CHURCH,

RESPONDENT.

CIVIL ACTION FILE NUMBER:

21-106801-28

RULE NISI

The Trustees Of The North Georgia Conference Of The United Methodist Church, Inc.'s request for interlocutory injunction and rule nisi having been read and considered, NOW THEREFORE, let Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church appear before the assigned Judge on the _____ day of _____, 2021, at _____ o'clock _____.m. and show cause, if any it may, why an interlocutory injunction should not be entered.

This _____ day of September, 2021.

Judge/Clerk, Superior Court

Presented by:
/s/ T. E. Cauthorn
Georgia Bar No. 117400
212 Church Street
Marietta, GA 30060
(770) 528-0150 - p

NOTICE OF LEAVE OF ABSENCE

TO: ALL JUDGES, CLERKS OF COURT, and COUNSEL OF
RECORD

FROM: T.E. Cauthorn, Georgia Bar Number 117400
Cauthorn Nohr & Owen
212 Church Street
Marietta, Georgia 30060

RE: **NOTICE OF LEAVE OF ABSENCE**

DATE: September 8, 2021

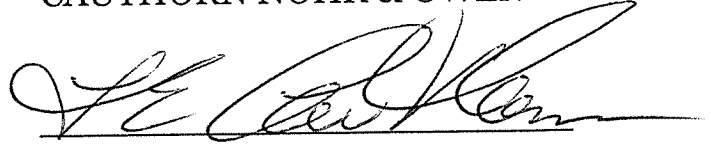
Comes now, T.E. Cauthorn, pursuant to Georgia Uniform Superior Court/State Court Rule 16.1 and Georgia Uniform Probate Court Rule 6.9(A), and notifies all opposing counsel and judges before whom he has cases pending that he will be on leave on the dates set forth herein. Attached hereto as Exhibit A and incorporated herein is the list of all affected actions, Judges, and counsel. The period of leave during which time Applicant will be away from the practice of law includes:

1. September 27, 2021 through and including October 15, 2021 for personal leave.

All affected judges and opposing counsel have ten (10) days from the date of this Notice to object. If no objections are filed, the requested leave should be granted.

This 8th day of September, 2021.

CAUTHORN NOHR & OWEN

A handwritten signature in black ink, appearing to read 'T.E. Cauthorn', written over a horizontal line.

T.E. Cauthorn

Georgia Bar No. 117400

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Marietta, Georgia 30060
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EXHIBIT A

Style of Case	Court	Judge	Opposing Counsel
The Trustees of the North Georgia Conference of the United Methodist Church, Inc. v. Mt. Bethel United Methodist Church, Inc. d/b/a Mt. Bethel United Methodist Church 21-106801-28	Superior Court of Cobb County Connie Taylor, Clerk of Court	Honorable Mary Staley Clark, Judge Superior Court of Cobb County c/o Brent Conway, Staff Attorney	Robert D. Ingram Moore Ingram Johnson & Steele, LLP 326 Roswell Street Suite 100 Marietta, GA 30060