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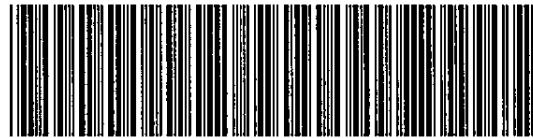
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IN THE TENTH JUDICIAL CIRCUIT COURT
OF FLORIDA IN AND FOR POLK COUNTY, FLORIDA

CASE NUMBER: 2013-CA-002359-0000-00

DELIVERANCE CENTER TABERNACLES
OF FLORIDA, INC.

Plaintiff,
v.

TERESA McCALL,

Defendant.

**PARTIAL SUMMARY JUDGMENT ON COUNTS I AND II
OF PLAINTIFF'S AMENDED COMPLAINT**

THIS CAUSE came before the Court on Plaintiff's Motion for Summary Judgment as to Counts I and II of Plaintiff's Amended Complaint. The Court having reviewed court file and having heard the argument of parties at the November 26, 2013 hearing in this cause, finding that there are no genuine issues of material fact or law as to Counts I and II and being otherwise fully advised in the premises, it is hereby:

ADJUDGED as follows, with respect to Counts I and II of Plaintiff's Amended Complaint:

COUNT I - OWNERSHIP INTERESTS IN CHURCH PROPERTIES

1. The following properties were conveyed to the Plaintiff, DELIVERANCE CENTER TABERNACLES OF FLORIDA, INC, by virtue of the deeds to the properties described below:

- a. Parcel A -Deed dated April 21, 1991, recorded in Lake County Official Records

Book 1109, Page 2110, conveying the property described as:

Property located at 2326 Misph Avenue, Leesburg, Florida 34748 which is described as follows:

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Lots 17 and 18, Block C, according to the plat of BEULAH HEIGHTS, recorded in Plat Book 5, Page 74, public records of Lake County, Florida.
Parcel Identification Number: 22-19-24-020000C01700

b. Parcel B - Deed dated April 16, 1991, recorded in Lake County Official Records
Book 1109, Page 2114 conveying the property described as:

Property located at: 2322 MISPAH AVE LEESBURG, FL 34748 which is described as follows:

Lot 19 and 20, Block C, BEULAH HEIGHTS, Leesburg, Florida

Parcel Identification Numbers: 22-19-24-020000C01900 and 22-19-24-020000C02000.

c. Parcel C - Deed dated April 21, 1991, recorded in Lake County Official Records
Book 1109, Page 2112 conveying the property described as

Property located at 37651 STATE ROAD 19 UMATILLA, Florida 32784 which is described as follows:

Lots Nine (9), Ten (10) and Eleven (11) of BLOCK ONE (1) OF EUSTIS PARK SUBDIVISION "A" according to the plat thereof on file among the Public Records of Lake County, Florida.

Parcel Identification Number: 26-18-26-020000100900

d. Parcel D - Deed dated April 21, 1991, recorded in Polk County Official Records
Book 2975, Page 2097 conveying the property located at 21 Kelly Lane,
Auburndale, FL 33823 which is described as:

Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter in Section 10, Township 28 South, Range 25 East, run South 497 feet for Point of Beginning; run thence East 150 feet more or less, then South 150 feet, thence West 150 feet more or less, and thence North 150 feet to the Point of Beginning

Parcel Identification Number: 25-28-10-000000-044390

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2. Defendant, Teresa McCall has no claims to any interest in the above-described properties and has provided no evidence she has ever been conveyed any of the rights and interests that Plaintiff, DELIVERANCE CENTER TABERNACLES OF FLORIDA, INC. obtained to these properties by virtue of the above-described deeds in that:

- a. No deed conveying any interest in any of these properties to Defendant's deceased father, Reverend Everette Pearce, or mother, Frances Pearce is recorded in the official records of Polk or Lake County and Defendant has not produced or submitted to this court any such deed to any of these properties.
- b. The Orders of Summary Administration submitted to this court by Defendant are ineffective to convey any title or interest to Defendant in any of the above-described properties, because Plaintiff, DELIVERANCE CENTER TABERNACLES OF FLORIDA, INC. is a Florida Not-for-profit corporation which is not owned by members (whether described as members or shareholders), officers, directors, employees or any other person associated with the corporation in any manner and as such, there are no interests in the not-for-profit corporation that can be inherited or otherwise transferred.

COUNT II - DECLARATORY RELIEF CONCERNING THE DISSOLUTION OF PLAINTIFF AND OTHER CORPORATE ACTS BY DEFENDANT

3. All acts and actions taken by Defendant Teresa McCall under a claim that she was an authorized officer of Plaintiff, including, but not limited to the issuance and filing of Annual and Amended Annual Reports and Articles of Dissolution after the death of Reverend Everette Pearce are determined to be null and void and of no legal effect, based on findings that;

- a. The bylaws of Plaintiff, as stated in the Church Discipline, require that the

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President/Overseer of Plaintiff be an ordained minister of Plaintiff.

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b. Defendant, Teresa McCall has never been an ordained minister and as such she

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						has not been and is not qualified to serve as President/Overseer of Plaintiff.
						c. Defendant has not produced or filed a Power of Attorney authorizing her to act as

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Attorney in Fact for the late Reverend Everette Pearce, and no such document was ever recorded in the Official Records of any county in the State or Florida, or in any other public record. Any such document, if it did exist ceased to be valid upon the death of the late Reverend Everette Pearce.

- The RONALD PINKNEY as the President and Secretary elected by the current members of Plaintiff, DELIVERANCE CENTER TABERNACLES OF FLORIDA, INC. and the Secretary of State of the State of Florida, are authorized to take such actions as are necessary to reinstate the charter of Plaintiff.

COURT'S RETENTION OF JURISDICTION

- This court retains jurisdiction to enter such other and further orders as it deems necessary to implement and enforce the terms of this Order.

ORDERED in Chambers at Bartow, Polk County, FL, this 10th day of November, 2013.

[Signature]
 ELLEN S. MASTERS
 Circuit Court Judge

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I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this _____ day of _____, 2013 to Hugo de Beaubien, Esquire, de Beaubien, Knight, Simmons, Mantzaris & Neal, LLP, Post Office Box 87, Orlando, Florida 32802-0087, U.S. Mail to Teresa McCall, 96 Surf Drive, Winter Haven, Florida 33880.



STATE OF FLORIDA, COUNTY OF POLK
 This is to certify that the foregoing is a true and correct copy of the document as recorded in this office. Witness my hand and official Seal on 12/11/13
 This copy has been reviewed, and if required by law, redacted.
 STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
 By [Signature]

JUDICIAL ASSISTANT

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