



Christ Church Looks Back

by Joseph A. Tomberlin

Omer Franklin, Christ Church vestryman and partner in the Valdosta law firm of Franklin, Eberhardt and Barham, began on September 22, 1953, the application process for a loan of \$9,000.00 from the American Church Building Fund Commission for construction of the Sunday School Annex. In a letter to Richard P. Kent, Jr., Secretary of the A.C.B.F.C., he emphatically pointed out that "title companies" did not exist in Georgia; thus, any title search in the state was the task of an attorney. Franklin reported that he had conducted such a search for Christ Church and had found that the title was registered. He included the title certificate so Kent could examine it and make copies and then return the document by registered mail. Franklin noted also that Christ Church's property title was "absolutely clear and free of all liens" with one technical exception, which was the ad valorem taxes for the City of Valdosta and for Lowndes County for the year 1953. These taxes were "not due . . . [or] payable until December 20, 1953," but had been attached to the title as "a technical lien" since January 1, 1953. In addition, he asked, in view of Christ Church's having registered title to its property, if A.C.B.F.C. would require title insurance.

Kent responded via letter on September 28, 1953, and assured Franklin that submission of a title insurance policy was not required. He said that normally an abstract of

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title or "other proper evidence of the status of title has been satisfactory to our Counsel." As Kent wrote, he believed that a "photostatic copy of the owner's certificate of title," with guarantee of no existing liens, should suit the needs of A.C.B.F.C. Kent confirmed as well that his agency had the "funds available for the proposed \$9,000 loan" to Christ Church and would be able "to close as soon as the legal requirements have been met and approved by our Counsel."

Franklin, on October 15, 1953, sent a brief letter to Bishop Middleton S. Barnwell in which he remarked, "Our construction [of the Sunday School Annex] is proceeding nicely." Consequently, he wrote, the time was right "to get the necessary documents in proper order for the closing of our loan." To that end, he enclosed for the approval and signing by Bishop Barnwell of two forms provided by A.C.B.F.C. These were the "Authority to Mortgage" and the "Consent of Bishop and Standing Committee," and Franklin asked that the Bishop return the documents to him "after they have been properly executed in order that I may forward them on to Mr. Kent along with the other documents required. . . ."

While Mr. Franklin worked on the loan, the Vestry dealt with some of the financial aspects of the construction process. In the meeting of October 4, 1953, Senior Warden Jamie Carroll raised the issue of paying the architect's fee charged by Joe Bright for the

Sunday School Annex. On a motion by Marion Tucker, seconded by Hap Davis, Vestry voted to take no action pending completion of construction and further discussion of the charges. The bill from the Orkin Company for treating the structure against termites provoked a similar response, that is, action deferred. Then, in the meeting of November 1, 1953, Vestry approved payment to Mr. Bright of \$100.00 toward his total fee of \$220.00. However, the Orkin bill did not come up again until the meeting of June 6, 1954, when Vestry, on a Marion Tucker-Glen Robinson motion, finally agree to compensate Orkin in full.

In the meantime, Mr. Franklin waited to no avail for the return from the diocesan office of the two forms he had sent to Bishop Barnwell on October 15th. Consequently, on November 9, 1953, he wrote to Miss Zoë Coburn, Secretary-Treasurer of the Executive Council, to inquire about the status of the documents. Miss Coburn answered the following day: "Bishop Barnwell has been out of the office at various conferences etc most of the time since your letter of October the 15th and I regret to say your letter got mixed up with some others which . . . [were] not for his immediate attention. I am dreadfully sorry. Bishop Barnwell is now in Williamsburg attending the House of Bishops but on top of all else is this file to be attended to immediately upon his return the end of this week."

Stay tuned. This story goes on in the March 2011 *Vineyard*.