

DURABLE POWER OF ATTORNEY

STATE OF ALABAMA:

COUNTY OF SHELBY:

KNOW ALL MEN BY THESE PRESENTS: That I, PHYLLIS W. KING, does hereby nominate, constitute and appoint my husband, MONTA A. KING as my true and lawful Attorney in Fact with full authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in my name, place and stead in connection with the purchase of the following described property:

Lot 5, Block 1, according to the survey of Norwick Forest, First Sector, as recorded in Map Book 11, Page 63 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Property address: 201 Norwick Forest Drive  
Alabaster, Alabama 35007

which power shall include the execution and delivery of any and all notes, mortgages and all other documents required by Collateral Mortgage, Ltd. in connection with the purchase and giving of a first mortgage to Collateral Mortgage, Ltd. in the amount of \$100,000.00 amortized over 30 years with an initial rate of 8.00% to effect the of the loan on the said property.

I further hereby vest MONTA A. KING as my said Attorney in Fact, with the power and authority to do and perform every act necessary and proper to be done and the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, in order to deliver title to said property. I hereby ratify and confirm any and all acts that MONTA A. KING, my Attorney in Fact, shall lawfully do or cause to be done in my place and stead my virtue hereof.

This Power of Attorney shall not be affected by my disability, incompetency or incapacity, but shall be deemed to be durable in accordance with Act No. 81-98 of the Legislature of Alabama, adopted at the 1981 Regular Session and approved March 4, 1981.

08/16/1994-25538  
01:31 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HCD 13.50

Inst # 1994-25538

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day  
of August, 1994.

Phyllis W. King  
PHYLLIS W. KING

\*\*\*\*\*

STATE OF Ky.:

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that PHYLLIS W. KING whose name is signed to the foregoing Power of Attorney and who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing Power of Attorney, She executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3 day of August,  
1994.

(Seal)

Carolyn H. Meishon  
Notary Public

MUST AFFIX SEAL

My Commission Expires:

8-30-95

**INSTRUCTIONS TO NOTARY:** This form acknowledgement cannot be changed or modified. It must remain as written to comply with Alabama law. The designation of the State and County can be changed to conform to the place of the taking of the acknowledgement.

STATE OF ALABAMA  
JEFFERSON COUNTY

**AFFIDAVIT  
REGARDING NON REVOCATION OF  
POWER OF ATTORNEY**

**BEFORE ME**, the undersigned Notary Public, in and for said State at Large, personally appeared **CLAUDE M. MONCUS**, who being by me first duly sworn, doth depose and say as follows:

My name is **CLAUDE M. MONCUS**; I am over the age of 19 years, and have personal knowledge of the facts stated herein.

On the 3rd day of August, 1994, **PHYLLIS W. KING** appointed **MONTA A. KING** as her attorney-in-fact under that certain Durable Power of Attorney, a true and correct copy of which is attached hereto as recorded as Instrument No. \_\_\_\_\_, in the Probate Office of Shelby County, Alabama.

On the 12th day of August, 1994, the power under said Durable Power of Attorney was exercised in connection with the purchase of that certain property being more particularly described as follows, to wit:

Lot 5, Block 1, according to the survey of Norwick Forest, First Sector, as recorded in Map Book 11, Page 63 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Property Address: 201 Norwick Forest Drive  
Alabaster, Alabama 35007

At the time of the execution of the above-mentioned closing documents and exercise of the said Durable Power of Attorney, there existed no knowledge of the termination of the power by revocation or of the death of **PHYLLIS W. KING**. I know that **PHYLLIS W. KING** is still living, and there has been no notice of revocation of the Power of Attorney since the execution of same.

This affidavit is given pursuant to Code of Alabama 1975 Section 26-1-2(e).

  
Claude M. Moncus

Subscribed and sworn to before me on this 12th day of August, 1994.

  
Notary Public

My Commission Expires: 5/1/96

kh:Macros

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