

SPECIAL DURABLE POWER OF ATTORNEY

I, Darby ^{H(om)} Miller McElderry, of Fayette County State of Kentucky, do hereby appoint my husband, Hugh T. McElderry, Jr. of Jefferson County, State of Alabama, as my lawful attorney-in-fact, for me and in my name, place and stead, and for my use and benefit to purchase the real property located at 1291 Eagle Park Road Birmingham, Alabama 35242 and execute loan documents with Regions Mortgage for a Conventional 5/1 Arm Loan 1st Mortgage for \$234,400.00 and a 2nd Mortgage for \$66,300.00 at 4.375 interest rate for 30 years more particularly described as follows:


Lot 60, according to the Survey of Eagle Point, 12th Sector, Phase 3, as recorded in Map Book 24, page 102, in the Probate Office of Shelby County, Alabama.

for such price and on such terms and conditions as she shall deem proper, including the execution of any and all documents necessary to complete the refinance of said property, such as, but no limited to contracts, notes, mortgages, Hud-1 Settlement Statement, lien waivers, FNMA Affidavits, Tax Forms, RESPA forms, and any and all other documents appropriate to complete the refinance transaction on the above described property.

GIVING AND GRANTING unto said attorney full power and authority to do and perform all and every act, matter, and thing whatsoever in and about my estate, property, and affairs as fully and effectually to all intents and purposes as I might or could do in my own proper person if personally present, the above specially enumerated powers being in aid and exemplification of the full, complete, and general power herein granted and not in limitation or definition thereof; and hereby ratifying all that my said attorney shall lawfully do or cause to be done by virtue of these presents.

And I hereby declare that any act or thing lawfully done hereunder by and said attorney shall be binding on myself, and my heirs legal and personal representatives, and assigns; whether the same shall have been done before or after my death, or other revocation of this instrument, unless and until reliable intelligence or notice thereof shall have been actually received by my attorney. Further, this power of attorney shall not be affected by disability, incompetency, or incapacity of the principal it being my intention this document constitutes a special durable power of attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 29 day of May, 2003.


Darby Miller McElderry
(om)

STATE OF Kentucky
COUNTY OF Fayette

On this 29th of May, 2003, I, the undersigned, a Notary Public in and for said county and in said state, hereby certify that Darby ~~H~~ Miller McElderry, whose name is signed to the foregoing Special Durable Power of Attorney, and who is known to me, acknowledged before me that, being informed of the contents of the Special Durable Power of Attorney, she executed the same voluntarily and as her act on the day the same bears date.

Given under my hand and seal of office this 29th day of May, 2003.

My Commission Expires: 5/24/05


Notary Public