

57469

LIMITED POWER OF ATTORNEY

WHEREAS, the Resolution Trust Corporation, a corporation duly organized and existing under an act of Congress of the United States of America, acting in its capacity as conservator or receiver of the institutions listed on Exhibit "A" attached hereto ("RTC"), is the owner of the loans (the "Loans") described on Exhibit "B" attached hereto; and

WHEREAS, RTC desires to designate Gordon B. Gilbert, General Manager, Annette Schwab, Customer Service Manager and Albert Castillo, Default Control Manager, employees of Mortgage Investment Corporation, a corporation organized and existing under the laws of the State of Texas ("Servicer") as its true and lawful attorney-in-fact, in its name, place, and stead, and for its benefit in connection with Loans serviced by Servicer, for the purposes of performing all acts and executing all documents in the name of RTC necessary and incidental to servicing said Loans.

NOW, THEREFORE, RTC appoints Servicer as RTC's true and lawful attorney-in-fact to act in its name, place and stead, and subject to the further provisions herein, grants Servicer the authority, subject to the limitations herein, as follows:

- 1. To accept money due or to become due from borrowers and to collect past due amounts;
2. To take those acts necessary to comply with regulations and requirements of the United States Department of Veterans Affairs, the United States Department of Housing and Urban Development, and any other Governmental entity or state or federal law;
3. To demand, recover, collect, receive, and receipt for all sums of money, checks, accounts, interests, dividends and demands due or owing to RTC, in connection with the Loans and to take possession of any collateral, and to liquidate that collateral by any lawful means and to take such lawful action as may be necessary, in the name of RTC, for recovery thereof by suit, garnishment, attachment, foreclosure, or otherwise.
4. To take any and all action necessary, on behalf of RTC, to file and process claims and accept claim proceeds from mortgage insurance or loan guarantee claims paid under the National Housing Act of 1949 or Chapter 37 of Title 38 of the United States Code and to endorse to the order of Servicer any checks which are made payable to RTC in connection with said Loans;
5. To take any and all action necessary to initiate, give notice of, and conduct foreclosure sales ("Foreclosures") on behalf of RTC, pursuant to any deeds of trust, mortgages or other security instruments, accept deeds in lieu of foreclosure or otherwise acquire title to mortgaged properties, and the execution of any instrument necessary to accomplish the foregoing.
6. To sell, transfer, or otherwise dispose of real property acquired through foreclosure or otherwise and execute all contracts, agreements, deeds, assignments and other instruments necessary to effect any such sale, transfer or disposition and to receive proceeds checks made payable to the order of Servicer or RTC; and to assign the right to any deficiency judgment and or deficiency claim incident to a foreclosure or defaulted loan;
7. To prepare, execute and deliver satisfactions, cancellations, discharges, or full or partial releases of lien; enter into and execute assumption agreements; and appoint substitute trustees;

Inst # 1993-26668

005 MCD 18.50
SHELBY COUNTY JUDGE OF PROBATE
09/02/1993-26668
11:27 AM CERTIFIED

I CINDY D. HOPKINS, DO HEREBY CERTIFY THAT SAID INSTRUMENT WAS FILED FOR RECORD IN MARENGO COUNTY, ALA. DAY OF AUG 19 1993 AND RECORDED BOOK NO. 43 R/P PAGE 176-179 MTQ. TAX: DEED TAX: Cindy D. Hopkins JUDGE OF PROBATE MARENGO COUNTY, ALA. 00130

NO. 213
FILED IN PROBATE OFFICE
MARENGO COUNTY, ALA.
2:00 P.M. AUG 19 1993 A.M.

CINDY D. HOPKINS, Judge

8. To endorse promissory notes from RTC to Servicer, and execute assignments from RTC to Servicer of mortgages, deeds of trust, deeds to secure debt, and other security instruments securing said promissory notes;

9. To prepare, execute, and deliver any and all documents necessary to accomplish the foregoing, including but not limited to deeds, contracts, leases, assignments, bills of sale, releases, extensions, satisfactions, and full or partial releases of liens, and to take any and all such other acts of any kind and nature whatsoever Servicer may find necessary to service the Loans.

RTC further grants to Servicer full power and authority to do and perform all acts necessary to carry into effect the powers granted by or under this limited power of attorney as fully as RTC might or could do with the same validity as if all and every such act had been herein particularly stated, expressed, and especially provided for, and hereby ratifies and confirms that the Servicer shall lawfully do or cause to be done by virtue of the powers and authority granted and contemplated hereby.

This Power of Attorney (the "Power") shall be effective as of the March 10, 1993 and shall continue in full force and effect until March 10, 1994, (the "Termination Date") unless otherwise terminated in writing by the execution and delivery of an instrument revoking the authority hereby granted (the "Revocation").

Any third party may rely upon this document as Servicer's authority to continue to exercise the Powers until the Termination Date, unless a Revocation has been recorded in the public records of the county where the Power was executed, or unless third party has received actual notice of a Revocation.

Executed this 18<sup>th</sup> day of March, 1993.

ATTEST:

Judy C. Stewart  
Judy C. Stewart  
Senior Counsel  
Corporate Affairs

RESOLUTION TRUST CORPORATION  
as Conservator or Receiver

**E-5113**

By: Randall D. Alford  
Randall D. Alford  
Director  
Asset Management & Sales

State of Georgia)  
:  
County of Fulton)

I, Emma J. Mackey, a Notary Public in and for said County in said State, hereby certify that Randall D. Alford, Director, Asset Management and Sales, for Resolution Trust Corporation whose name is signed to the foregoing instrument and who is known to me, acknowledged before me this date that, being informed of the instrument, he in his or her capacity as such Director, Asset Management and Sales and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this 18<sup>th</sup> day of March, 1993.

Emma J. Mackey  
Notary Public

My Commission Expires: December 6, 1996

[Loan Servicer POA - Alabama]

March 15, 1993

AFTER RECORDING, RETURN TO:

BACA LANDATA, INC.  
2900 NORTH LOOP WEST, SUITE 1130  
HOUSTON, TEXAS 77092

00131

**EXHIBIT "A"**

Resolution Trust Corporation  
as Receiver for  
Jefferson Federal Savings & Loan  
215 21st Street North  
Birmingham, AL 35203

00132

**EXHIBIT "B"**

**ALABAMA  
SHELBY COUNTY**

<b>Loan number</b>	<b>Borrower</b>	<b>Property Address</b>
350000003	RN HUTCHISON	105 TALL TIMBER RD ALABASTER, AL 35007-8924
350000093	RV OGLESBY	846 BURNING TREE TRAI ALABASTER, AL 35007-9311
350001105	LS MCCULLERS	6113 DOUBLE OAK WAY BIRMINGHAM, AL 35242-6107
350018994	JH PHILLIPS	837 BURNING TREE TRAI ALABASTER, AL 35007
350019146	TM PRITCHETT	636 CHEROKEE RD MONTEVALLO, AL 35115-3657
350019583	CW HARRIS JR	5441 CALDWELL MILL RD BIRMINGHAM, AL 35242-4517
350019599	AD JORDAN	5445 CALDWELL MILL RD BIRMINGHAM, AL 25242
350019645	LP LOWERY	12222 FALLING STAR LANE ALABASTER, AL 35007
350020525	JF SHERRILL	2609 BUTTEWOODS DR BIRMINGHAM, AL 35242-4403
350020577	BJ WALKER	ROUTE 13 BOX 523 BIRMINGHAM, AL 35216
350021711	KL HARDEMAN	516 CREEKVIEW CIR PELHAM, AL 35124-1606
350022369	OH COOK	RT 1 BOX 226 STERRETT, AL 35147
350022568	GS DILL	RT 1 BOX 444 HELENA, AL 35080
350022572	HB COLEMAN	89 PAWNEE DR PELHAM, AL 35124
350022621	JA JONES	200 13TH ST SW ALABASTER, AL 35007-9426
350022746	DD JONES	5038 VALE LANE BIRMINGHAM, AL 35244-2260
350022794	CR KIRK	2647 BUTTE WOODS DRIVE BIRMINGHAM, AL 35242-4404
350022814	LS DILLARD	2432 VALE DR BIRMINGHAM, AL 35244-2276
350022955	JC FAY JR	CHELSEA MEADOW RT STERRETT, AL 35147-9801
350022970	MJ MOSELEY	4525 OLD CALDWELL MILL BIRMINGHAM, AL 35242-4324
350023024	WF JOHNSON	128 TALL TIMBERS RD ALABASTER, AL 35007-8919
350023237	LW OLVEY	VALLEY VIEW DRIVE HELENA, AL 35080
350023509	WE COOPER	P O BOX 125 WESTOVER, AL 35185-0125
350023649	BJ TRAMMELL	681 VALLEY VIEW ROAD INDIAN SPRINGS, AL 35124-9801
350023652	FD FORESTER	2520 COMMANCHE DR BIRMINGHAM, AL 35244-2211
350023659	BJ DUPREE	216 HICKORY HILL DRIV ALABASTER, AL 35007-8846
350023903	RH MCCARY	2620 CHANDALAR LANE PELHAM, AL 35124-1443
350023990	JB CHAMBERS JR	4804 CALDWELL MILL RD BIRMINGHAM, AL 35242-4424
350025031	P LANIER III	2533 MARCAL ROAD BIRMINGHAM, AL 35244-1927
350025114	DW SULLIVAN	DENNIS W SULLIVAN , AL
350025120	RE ADAMS	2613 CHANDALAR LANE PELHAM, AL 35124-1407
350026533	CW MARTIN	1942 CHANDAWAY DRIVE PELHAM, AL 35124-1418
350027490	RW HARRIS	2319 ELIZABETH STREET PELHAM, AL 35124
350027757	LB BRADDOCK	921 INDEPENDENCE DRIV ALABASTER, AL 35007-9322
350028822	CW FRENCH	1301 MICHAEL CIRCLE ALABASTER, AL 35007-8906
350029272	ES MORGAN JR	HIGHWAY 280 & CTY CHELSEA, AL 35043
350029882	WM BUSH	RT 2 BOX 117 WILSONVILLE, AL 35186
350030304	H PERKINS JR	3611 STRATFORD LANE BIRMINGHAM, AL 35242-3119
350030450	TL CARLISLE	HWY 25 BOX 41 STERRETT, AL 35147
350030746	HH BISHOP	140 13TH STREET SW ALABASTER, AL 35007-9405
350100447	DD DAVIS	ROUTE 1 BOX 76 CHELSEA, AL 35043
350201131	RT LEWIS	465 HIGH GATE HILL RO PELHAM, AL 35124
350400193	PL JACKSON	352 VALLEY VIEW LANE INDIAN SPRINGS, AL 35124
350600168	JW KENDRICK	RT 1 BOX 95 B MAYLENE, AL 35114
350800049	JA GUGLIOTTA	110 OLD POST RD PELHAM, AL 35124
350805229	JW EVANS JR	1824 CHANDAMONT CIRCLE PELHAM, AL 35124-1410
350808145	PE MARCUS	979 COUNTY ROAD 280 STERRETT, AL 35147-9716
350900044	JW SNIDER	ROUTE 1, BOX 406- HELENA, AL 35080
351028564	CP MIMS	1825 LAKE KNOWL DRIVE HELENA, AL 35080-9624
351029324	TR WASMER	2435 VALE DRIVE BIRMINGHAM, AL 35244
352025014	C SLAY JR	111 MRYTLE ST COLUMBIANA, AL 35051-9406
354000162	HC COMER	146 SHOSHONEE DRIVE MONTEVALLO, AL 35115
355003516	JF MCELROY	NO CONVERSION OPT WILSONVILLE, AL 35186
355005006	JA SCOTT	NO CONV OPTION BIRMINGHAM, AL
355021211	WB BARKER	CONV. OPTION EXP. HOOVER, AL

EXHIBIT "B"

ALABAMA  
SHELBY COUNTY

Loan number	Borrower	Property Address
355022227	M NUBY	C/O #2 EXP 1/91 BIRMINGHAM, AL
355022535	JD PATTON	C/O #6 EXP 2/91 BIRMINGHAM, AL
355029507	SD CUNNINGHAM	NO CONVERSION OPT CALERA, AL
355907418	JA BENTON JR	CONV OPTION EXP 0 BIRMINGHAM, AL 35244

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