

STATE OF ALABAMA  
JEFFERSON COUNTY

### DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, which are intended to constitute a Durable Power of Attorney that I, HOWARD NICHOLS, do hereby make, constitute and appoint my wife, MARY ANN NICHOLS, as my true and lawful Attorney-in-Fact, for me and in my name, place and stead, and on my behalf and for my use and benefit.

To exercise or perform any act, power, duty, right or obligation whatsoever that I now have, or may hereafter acquire the legal right, power, or capacity to exercise or perform in connection with, arising from, or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or whatsoever;

To request, ask, demand, sue for, recover, collect, receive and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, choses in action, personal and real property, tangible and intangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by me or due, owing, payable or belonging to me or in which I have or may hereafter acquire interest, to have, use, and take all lawful means and equitable and legal remedies, procedures and writs in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to make, execute, and deliver for me, on my behalf, and in my name, all endorsements, acquittances, releases, receipts, or other sufficient discharges for the same;

To lease, purchase, exchange and acquire, and to agree, bargain, and contract for the lease, purchase, exchange, and acquisition of, and to accept, take, receive and possess any real or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as my said Attorney-in-Fact shall deem proper;

To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or hereafter acquire, for me, on my behalf, and in my name and under such terms and conditions, and under such covenants, as my said Attorney-in-Fact shall deem proper.

I am hereby granting to my said Attorney-in-Fact the right to execute any and all necessary documents for selling of any real property which I now own or may acquire in

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the future and giving my Attorney-in-Fact the right to acquire real estate in my name and in my stead and to execute any documents for the selling of said real estate, transacting any and all business or management with respect to said property.

To conduct, engage in, and transact any and all lawful business of whatever nature or kind for me, on my behalf, and in my name;

To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of banks, savings and loan associations, credit unions, or other financial institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted;

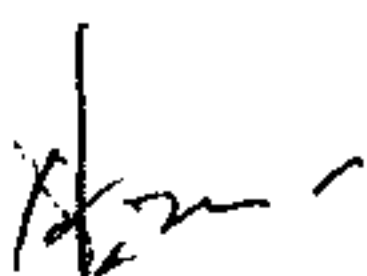
To enter safe deposit boxes, place name of attorney-in-fact on all records of account, to close accounts, to change Certificate of Deposit as my attorney-in-fact sees fit. To remove all contents at any banking institutions from any safe deposit box.

I grant to my said Attorney-in-Fact full power and authority to do, take, and perform all and every act and thing whatsoever required, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my said Attorney-in-Fact, or his substitutes, shall lawfully do or cause to be done by virtue of this Durable Power of Attorney and the rights and powers herein granted.

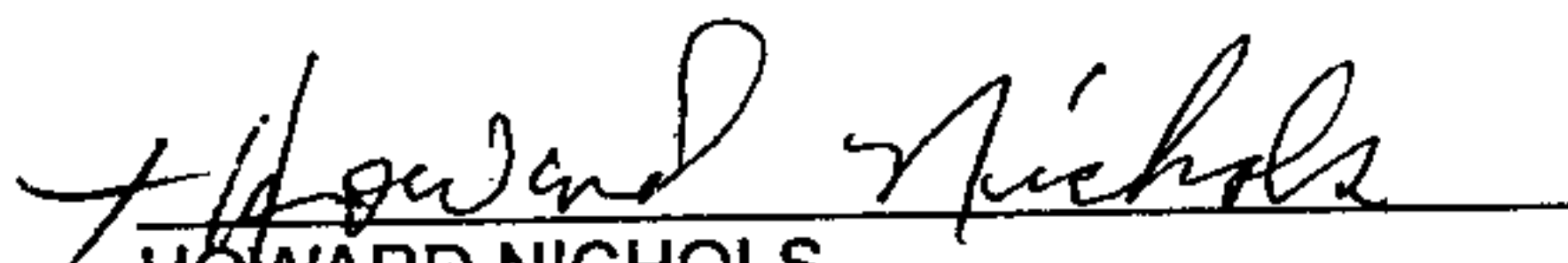
This instrument is to be construed and interpreted as a durable power of attorney. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers hereby granted to my said Attorney-in-Fact.

The rights, powers and authority of my said Attorney-in-Fact herein granted shall commence and be in full force immediately; the authority conferred herein shall not be affected by disability, incompetency, or incapacity of the said principal, Howard Nichols, individually, separately and severally; and such rights, powers and authority shall remain in full force and effect until the death of the principal. Any action taken in good faith pursuant to the foregoing authority without actual knowledge of my death shall be binding upon me, my heirs, assigns and personal representatives.

IN WITNESS WHEREOF, as Principal, I, have signed this Durable Power of



Attorney at Birmingham, Alabama, this 1st day of October, 1996, and have directed that photographic copies of this durable power of attorney be made which shall have the same force and effect as an original.

  
HOWARD NICHOLS

STATE OF ALABAMA  
JEFFERSON COUNTY

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

Given under my hand and seal this the 1st day of October, 1996.

  
Notary Public

My Commission Expires: 9-13-99

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