

STATE OF ALABAMA  
COUNTY OF SHELBY

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### DURABLE POWER OF ATTORNEY

This power of attorney shall not be effected by disability, incompetency, or incapacity of the principals in accordance with Alabama Code Section 26-1-2 (1975).

1. **APPOINTMENT OF ATTORNEY IN FACT.** I, **MARTHA D. HERDMAN**, as principal ("Principal"), resident of the State and County aforesaid, has made, constituted and by these presents to make, constitute and appoint, **CALVIN B. HERDMAN, JR.**, as my true and law full agent and attorney-in-fact ("Agent") to do and perform the following:

To do any and all acts, to take any actions and execute any documents in connection with the loan to Compass Bank on the property described as:

**Lot 15, in Block 3, according to the Survey of Brookfield, Second Sector, as recorded in Map Book 6, Page 16, in the Probate Office of Shelby County, Alabama.**

To do any and all acts, to take any actions and execute any documents in connection with the loan on the property located at 1416 Adams Street, Pelham, Alabama, including signing all loan documents, settlement statement or other related documents as I may do in my own stead. This Power of Attorney shall be valid and of full force and effect indefinitely.

2. **EXECUTION AND DELIVERY.** The execution and delivery by Agent of any check, draft, conveyance, paper, deed, instrument or document in my name and behalf shall be conclusive evidence of Agent's approval of the consideration therefor, and of the form and contents thereof, and that Agent deems the execution thereof in my behalf necessary and desirable.

3. **RELIANCE ON AUTHORITY.** Any person, firm or corporation dealing with Agent under the Authority of this instrument is authorized to deliver to Agent all consideration of every kind or character with respect to this transaction so entered into by the Agent and shall be under no duty or obligation to see to or examine into the disposition thereof. Third parties may rely upon the representation of Agent as to all matters relating to any power granted to Agent, and no person who may act in reliance upon the representation of Agent or the authority granted to Agent shall incur liability to me or my estate as a result of permitting Agent to exercise any power.

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4. **AGENT'S AUTHORITY.** The authority of the Agent is to the loan on the property located at 1416 Adams Street, Pelham, Alabama.

5. **EFFECTIVE DATE OF AGENT'S AUTHORITY.** Durable Power of Attorney shall become effective upon its execution by the Principal and delivery to the Agent.

**IN WITNESS WHEREOF**, I, as Principal, have executed this Durable Power of Attorney.

Dated this the 23<sup>rd</sup> day of June, 1998.

Principal:

Martha D Herdman  
**MARTHA D. HERDMAN**

**STATE OF TENNESSEE**  
**COUNTY OF** Shelby

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On 6-23, 1998, before me the undersigned Notary Public, in and for said County and State, personally appeared, **MARTHA D. HERDMAN**, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument subscribed to me that the entity, upon whose behalf she acted, executed the instrument.

WITNESS my hand and official seal this 23 day of June, 1998.

John Czaplinski  
**Signature NOTARY PUBLIC**

My Commission expires: My Commission Expires September 12, 2000

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