

4712

AFFIDAVIT
REGARDING NON-REVOCATION OF POWER OF ATTORNEY

Before me, the undersigned Notary Public, in and for the State of Alabama-at-Large, personally appeared ALLEN C. DITTENHOEFER, who having been by me first duly sworn, deposed as follows:

1. My name is ALLEN C. DITTENHOEFER, I am over the age of twenty-one (21) years, and have personal knowledge of the facts stated herein.

2. On FEBRUARY 22, 1999, TERESA M. DITTENHOEFER appointed me as attorney-in-fact under a Power of Attorney, a true and correct copy of which is attached hereto as Exhibit A.

3. I have on this day exercised the above-referenced Power of Attorney by executing a Mortgage, and various other documents relating to the PURCHASE of a residence located in SHELBY County, Alabama, and being more particularly described as follows, to-wit:

LOT 149, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, 5TH SECTOR, AS RECORDED IN MAP BOOK 13, PAGE 36 A & B, IN THE OFFICE OF JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

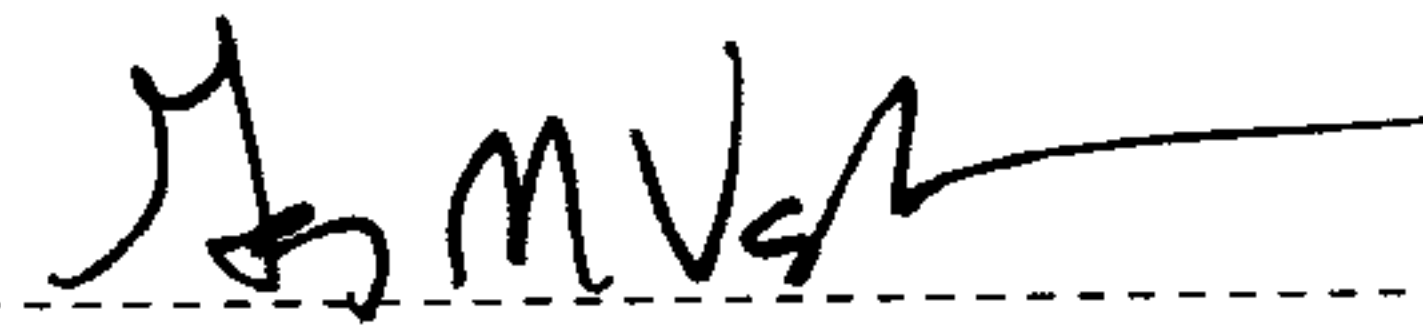
4. At the time of the execution of the above-mentioned closing documents and exercise of the Power of Attorney, I had no actual knowledge of the termination of the power by revocation or of TERESA M. DITTENHOEFER'S death. I know TERESA M. DITTENHOEFER to be still living, and have never been notified since the execution of the Power of Attorney that he/she/or it has revoked said power.

5. I am making this Affidavit pursuant to Code of Alabama 1975, Section 26-1-2(e).

Witness my hand and seal this the 2ND day of JULY, 1999.


Affiant and Attorney-in-fact (L.S.)

Subscribed and sworn to before me on this the 2ND day of JULY, 1999.


Notary Public
My Commission Expires:

Inst # 1999-29965

07/19/1999-29965
08:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CRH 8.50