

**STATE OF ALABAMA     )**

**SPECIAL POWER OF ATTORNEY**

Inst # 2000-14542

**KNOW ALL MEN BY THESE PRESENTS**, that I, **Annie Mae Cunningham**, being over the age of nineteen (19) years, do by these presents hereby make, constitute, and appoint **Walter Cunningham** as my true and lawful Attorney in Fact, for the limited purposes contained in this Power, but with full power and authority to act for me and in my name to:

1. Represent, negotiate, transact, and handle all and every kind of business, claim, and interest which I have or may have in any way arising out of the sale of my real estate located in **Shelby County, Alabama**, more fully described in Exhibit A attached hereto, pursuant to that certain sales contract, to which I am a party seller and James M. Kirkwood, and/or Frank D. Kirkwood or their assigns are parties purchaser.

2. Sign, execute and deliver any and all documents necessary to accomplish the closing of the sale of my above referenced real estate, including, but not limited to, the following: deed of conveyance, sales closing statement, transfer papers or documents requested by an outstanding mortgagee, if applicable, loan documents required by a lender to be executed by Seller, if applicable, lien waiver or affidavit and agreement for title company relative to any improvements or liens upon said property, affidavit relative to closing attorney in the even attorneys fees are shared by both seller and purchaser and any other closing documents deemed necessary by my said attorney in fact.

3. Make agreements and settlements with the purchaser, real estate agents, closing attorney, title company or other party involved in the closing of said real estate transaction or in order to accomplish said closing pursuant to the above referenced sales contract.

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SHELBY COUNTY JUDGE OF PROBATE  
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4. To deal with attorney A. Dozier Williams in my behalf regarding legal action required to clear title to the subject real estate, to make decisions concerning said litigation, to make binding commitments for me to said attorney and to execute any pleadings or documents required for said legal action.

5. To hold in escrow a deed executed by me to convey the subject real estate to the properly named purchaser or purchasers, to fill in the name of the purchaser(s) and to deliver the deed at the appropriate time.

6. Giving and granting unto **Walter Cunningham** as my true and lawful attorney, full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises (including, but not limited to the specific powers granted herein) as fully to all intent and purposes as I might or could do if personally present.

7. This power of attorney shall not be affected by the disability, incompetency or incapacity of me and it is my express intent to create a Durable Power of Attorney.

8. I hereby ratify and confirm all that **Walter Cunningham** as my true and lawful attorney, shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7<sup>th</sup> day of July, 1999.

Annie Mae Cunningham  
**ANNIE MAE CUNNINGHAM**

STATE OF Pennsylvania )  
COUNTY OF Philadelphia )

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that **Annie Mae Cunningham**, whose name is signed to the foregoing Special Power of Attorney

Esther Alvarez  
NOTARIAL SEAL  
ESTHER ALVAREZ, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires Oct. 8, 2001

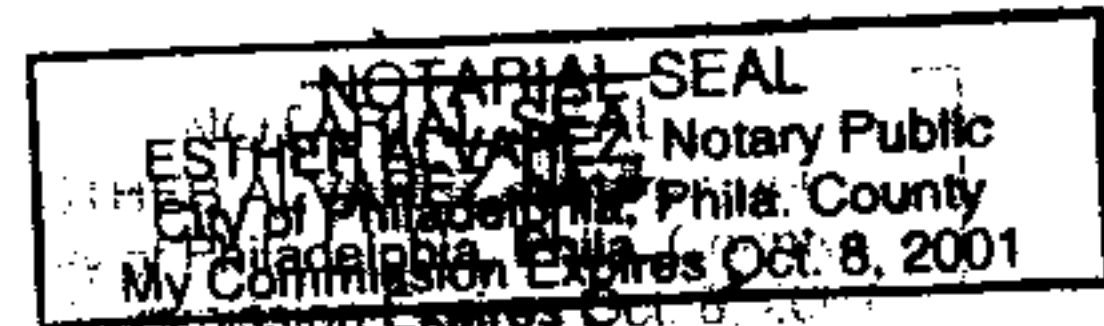
and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Special Power of Attorney, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of July, 1999.

Esther Alvarez  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

(SEAL)



## Exhibit "A"

Commence at the SW corner of the SW 1/4 of the NE 1/4 of Section 1, Township 21 South, Range 3 West; thence run Northerly along the West line thereof for 210.0 feet to the point of beginning; thence continue last described course for 210.0 feet; thence 90 deg. 00 min. right run Easterly 210.00 feet; thence 90 deg. 00 min. right right Southerly 88.01 feet to the Westerly right of way of U. S. Highway I-65; thence 29 deg. 00 min. 52 sec. right, run Southwesterly along said right of way for 139.5 feet; thence 60 deg. 59 min. 10 sec. right, run Westerly 142.34 feet to the point of beginning; being situated in Shelby County, Alabama.

*A. M. C.*

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