

## Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE 21203

STATE OF ALABAMA

Shelby COUNTY

AMOUNT \$10,000

## BOND OF NOTARY PUBLIC

KNOW ALL MEN BY THESE PRESENTS, That we Carlton H. Cummings, Jr.of Shelby County, Alabama, as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation under the laws of the State of Maryland, domiciled at Baltimore, in said State, authorized and licensed to do a surety business in ALABAMA, as Surety, are held and firmly bounden unto the State of Alabama, in the sum ofTen-Thousand and no/100----- \$10,000----) DOLLARS  
for the payments of which, we and each of us bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.SIGNED, SEALED AND DATED THIS 19th day of October, XX 2000

THE CONDITION OF THIS OBLIGATION IS AS FOLLOWS: Whereas, the above bounden

Carlton H. Cummings, Jr. was duly appointed to the office of Notary Public  
in and for Alabama, State aforesaid, on the 19th day of  
Nov A.D., XX 2000, for the term of four years from the  
19th day of Nov, A.D., XX 2000

NOW, THEREFORE, If the above bounden principal shall faithfully perform all the duties of said office during his continuance therein, or discharges any of the duties thereof, then this obligation to be void, otherwise to remain in full force and effect.

WITNESSES:

As to Principal  
Patricia Naemore  
As to SuretyCarlton H. Cummings, Jr.  
Carlton H. Cummings, Jr. Principal

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Michele A. Miller  
Michele A. Miller Attorney-in-FactCountersigned at Birmingham, AlabamaThis 19th day of October, XX 2000By Michele Miller  
Licensed Resident Agent

STATE OF ALABAMA

OATH OF OFFICE

Shelby COUNTY(I) CARLTON H. CUMMINGS, JR.solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability.  
So help me God.

Subscribed and sworn to before me this

3 day of Nov, 2000  
Carlton H. Cummings, Jr.Patricia Naemore11/08/2000-38316  
JUDGE OF PROBATE  
SHELBY COUNTY  
23.00  
ex gres 31.2001

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint M. Timothy Jones, Lana J. Mawhinney and Michele A. Miller, all of Birmingham, Alabama, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, each in a penalty not to exceed the sum of ONE MILLION DOLLARS (\$1,000,000).....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of M. timothy Jones, et al, dated July 25, 1995.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 3rd day of July, A.D. 1996



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

*C. W. Robbins*  
Assistant Secretary

By *C. M. Pecot, Jr.*  
Vice-President

STATE OF MARYLAND  
COUNTY OF BALTIMORE

SS:

On this 3rd day of July, A.D. 1996, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came C. M. PECOT, JR., Vice-President and C. W. ROBBINS, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



CAROL J. FADER

Notary Public

My Commission Expires August 1, 1996

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 19th day of October, 2000

*J. Gregory Hamilton*  
Assistant Secretary

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, . . . and to affix the seal of the Company thereto."

**Inst # 2000-38316**

**11/03/2000-38316  
12:41 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MMB 23.00**