

LIMITED DURABLE POWER OF ATTORNEY

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that, **LESLIE A. BACKES**, whose address is _____, (hereinafter referred to as "Principal"), does by these presents make, constitute and appoint, **MARK E. BACKES**, and/or his designated representative as my true and lawful agent(s) and attorney-in-fact (hereinafter referred to as "Agent") to do and perform for me and in my name, place, and stead, and for my use and benefit, to execute the promissory note, mortgage, lien waiver and any and all documents necessary to obtain the Mortgage Loan on the below described property being more particularly described as the following real estate, situated in **SHELBY** County, Alabama, to-wit:

Lot 1641, according to the Map of Highland Lakes, 16th Sector, an Eddleman Community, as recorded in Map Book 25, page 49, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TOGETHER with the non exclusive easement to use the private roadways, Common Areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. #1994-07111 and amended in Inst. No. 1996-17543 and Inst. #1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 16th Sector, recorded as Inst. #1999-31096 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration"). Mineral and mining rights excepted.

with a property address of, **195 Highland Park Drive, Birmingham, AL 35242**, including, but not limited to the Note, Mortgage, any applicable Riders thereto, Settlement Statement, HUD Certification, FNMA 1009 Affidavit and Agreement, Name Affidavit, Compliance Agreement, Truth-in-Lending Statement, Lien Waiver and any other documents required for said loan for the above described property to **SouthTrust Mortgage Corporation**, the first mortgage loan to be in the amount of **Two Hundred Thirty-Two Thousand Dollars (\$232,000.00)**, for a term of **30 years**, said loan being at an interest rate of **6.625%** and the second mortgage loan to be in the amount of **Twenty-Eight Thousand Six Hundred Dollars (\$28,600.00)** for a term of **15 years**, said loan being at an interest rate of **9.90%**.

I further give and grant unto my said attorney-in-fact and agent full power and authority to do and perform every act necessary and proper to be done and the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue hereof.

This power of attorney shall not be effected by disability, incompetency, or incapacity of Principal.

The execution and delivery by Agent of any conveyance, paper, instrument or document in my name and behalf shall be conclusive evidence of Agent's approval of the consideration therefore, and of the form and contents thereof, and that Agent deems the execution thereof on my behalf necessary or desirable.

IN WITNESS WHEREOF, the undersigned has executed this limited power of attorney on the 26 day of April, 2001.

Andrew Pearson
Witness

Leslie A. Backes
LESLIE A. BACKES

STATE OF Ky
COUNTY OF Campbell

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **LESLIE A. BACKES**, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 26 day of April, 2001.

(AFFIX SEAL)

[Signature]
Notary Public

My commission expires: 2/1/2005
Inst # 2001-17841

This instrument was prepared by:
Clayton T. Sweeney, Attorney At Law
2700 Highway 280 East Suite 390E
Birmingham, Alabama 35223

05/07/2001-17841
08:51 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 11.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 2001-17841