

DURABLE POWER OF ATTORNEY

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that I, **Alan C. Howard, individually and/or in his capacity as Member of HPHB, LLC in its capacity as Member of HPH Properties, LLC**, the undersigned, do hereby nominate, constitute and appoint **KEN CRITTENDEN**, my true and lawful attorney-in-fact, with full authority to act in my name, place and stead as follows:

1. To enter upon and take possession of any lands, tenements and hereditaments wheresoever situated that may belong to me or to the possession of which I may be entitled;
2. To ask, collect and receive and rents, profits, issues or income of any and all such lands, tenements and hereditaments, or any part or parts thereof;
3. To pay any and all taxes, charges and assessments that may be levied, assessed or imposed upon any of my lands, buildings, tenements or other structures;
4. To make, execute and deliver any deed, contract, mortgage or lease, whether with or without covenants and warranties, in respect to any such lands wheresoever situated; without limitation, that land and improvements which I now own or may hereafter own, and to manage any of such lands and to manage, repair, rebuild or reconstruct any buildings, houses, or other structures, or any part or parts thereof that may now or hereafter be erected upon any such lands;
5. To extend, renew, replace or increase any mortgage or mortgages now or hereafter affecting any of my lands, tenements and hereditaments and/or any personal property belonging to me, and, for any such purposes, to sign, seal, acknowledge and deliver any notes, and any extension, renewal, consolidation or apportionment agreement or agreements, or any other instrument, whether sealed or unsealed, that may be useful or necessary to accomplish any of the foregoing purposes;
6. To obtain insurance of any kind, nature or description whatsoever, on any of my lands, tenements, use or operation thereof any personal property belonging to me in respect of the rents, issues and profits arising therefrom, and to make, execute and file proof or proofs of all loss or losses sustained or claimable thereunder, and all other instruments in and about the same, and to make, execute and deliver receipts, releases or other discharges therefor, under seal or otherwise;
7. To demand, sue for, collect, recover and receive all goods, claims, debts, moneys interests, and demands whatsoever now due, or that may hereafter be due or belong to me (including the right to institute any action, suit or legal proceeding for the recovery of any land, buildings, tenements or other structures, or any part or parts thereof, to the possession whereof I may be entitled), and to make, execute and deliver receipts, releases or other discharges therefor, under seal or otherwise;
8. To draw checks and drafts against any bank account which I may have in any bank;
9. To accept, collect and endorse checks, drafts, coupons and promissory notes and to deposit same in any bank account in my name and to make and endorse promissory notes on my behalf;
10. To pay all sums of money, at any time or times, that may hereafter be owing by me upon any bill of exchange, check, draft, note or trade acceptance, made, executed, endorsed, accepted and delivered by me, or for me, and in my name, by my said attorney-in-fact;
11. To sell, mortgage, or hypothecate any and all shares of stock, bonds or other securities now or hereafter belonging to me, and to make, execute and deliver an assignment or assignments of any such shares of stock, bonds, or other securities, either absolutely or as collateral security;
12. To defend, settle, adjust, compound, submit to arbitration and compromise all actions, suits, accounts, reckonings, claims and demands whatsoever that now are, or hereafter shall be, pending between me and any person, firm, association or corporation, in such manner and in all respects as my said attorney-in-fact shall think fit;

13. To file any proof of debt, or take any other proceedings, under the Bankruptcy Act, or under any law of any state or territory of the United States in connection with any such claim, debt, money or demand, and in any such proceeding or proceedings, to vote in the election of any trustee or trustees, or assignee or assignees, and to demand, receive and accept any dividend or dividends, or distribution or distributions, that may be or become payable therein or thereunder;

14. To prepare and execute all income tax returns, state and federal, and all other types of tax returns which I might be required to file anywhere, for me, and to assess any property which I may own, both personal and real, for taxation;

15. To buy and sell shares of stock, bonds or any other types of securities for me or for my account at such prices as shall be determined by my said attorney-in-fact;

16. To enter any safe deposit box or lock box, which I have or may have in any bank or banks anywhere for any purpose and to enter any safe which I may have anywhere for any purpose;

17. This power of attorney shall not be affected by my disability, incompetency, or incapacity, but shall be deemed to be durable in accordance with Alabama Code Section 26-1-2 (1975), as amended;

18. Without in anywise limiting the foregoing, my said attorney-in-fact is further authorized generally to do, execute and perform any other act, deed, matter or things whatsoever, that ought to be done, executed or performed in and about the premises, of every nature and kind whatsoever, as fully and effectually as I could do if personally present.

And, I, **Alan C. Howard**, do hereby ratify and confirm all whatsoever that my said attorney-in-fact, **KEN CRITTENDEN**, or his substitute or substitutes, shall do or cause to be done by virtue of this power of attorney.

IN WITNESS WHEREOF, I have set my name and seal this the 27th day of March, 2002.

WITNESSES:



Alan C. Howard

STATE OF Alabama)
Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that **Alan C. Howard**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me that, being informed of the contents of the foregoing instrument, he executed the same voluntarily for the purposes therein expressed on the day the same bears date.

Given under my hand and official seal of office this 27th day of March, 2002.



Notary Public
My Commission expires: 12/2/04

AFFIX SEAL

And, I, **Alan C. Howard**, do hereby ratify and confirm all whatsoever that my said attorney-in-fact, **KEN CRITTENDEN**, or his substitute or substitutes, shall do or cause to be done by virtue of this power of attorney.

IN WITNESS WHEREOF, I have set my name and seal this the 27th day of March, 2002.

WITNESSES:

HPHB, LLC

Alan C. Howard, Member

STATE OF Alabama
Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that **Alan C. Howard**, whose name as Member of **HPHB, LLC**, is signed to the foregoing instrument and who is known to me, acknowledged before me that, being informed of the contents of the foregoing instrument, he, as such Member and with full authority executed the same voluntarily for and as the act of said limited liability company for the purposes therein expressed on the day the same bears date.

Given under my hand and official seal of office this 27th day of March, 2002.

Ornelita B Lewis
Notary Public
My Commission expires: 12/2/04

AFFIX SEAL