

## AFFIDAVIT OF POWER OF ATTORNEY

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, a Notary Public in and for said county and state, appeared CHARITY L. RUSSELL A/K/A CHARITY LEE HANEY RUSSELL who after being duly sworn deposes and say as follows:

My name is CHARITY L. RUSSELL A/K/A CHARITY LEE HANEY RUSSELL am the individual authorized as Attorney in Fact for by that Power of Attorney dated SEPTEMBER 21, 2001 The power of attorney being given for the real estate transaction of certain real property being located in SHELBY County, Alabama and known as:

SEE LEGAL DESCRIPTION ATTACHED ON EXHIBIT "A"

This affidavit is given as of the day and year indicated below and with the execution of the Mortgage and all other documents in connection with the PURCHASE of the above real property. As of said time, I, CHARITY L. RUSSELL A/K/A CHARLITY LEE HANEY RUSSELL the Attorney-in-Fact for BRIAN T. RUSSELL A/K/A BRIAN TRAVIS RUSSELL do state that, at the time of the exercise of said power, that BRIAN T. RUSSELL A/K/A BRIAN TRAVIS RUSSELL at the time of the execution of said document, is alive and well and competent, had not been disabled or incapacitated. Futher, I, CHARITY L. RUSSELL A/K/A CHARITY LEE HANEY RUSSELL, Attorney in Fact for BRIAN T. RUSSELL A/K/A BRIAN TRAVIS RUSSELL agree to hold harmless and indemnify LAND TITLE ., as the issuing title agent for said transaction and Moseley & Associates, as closing agents, harmless from any and all liability for said real estate transaction.

Charity L. Russell 6/28/02  
CHARITY L. RUSSELL A/K/A CHARITY LEE HANEY RUSSELL

State of ALABAMA

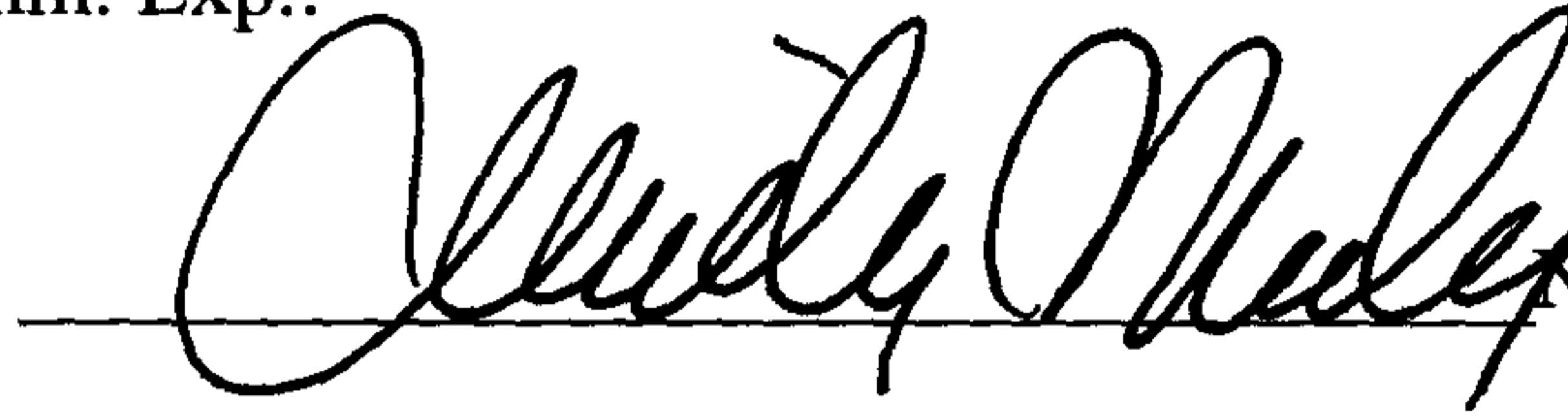
JEFFERSON County

The undersigned, a Notary Public in and for said county and state, hereby certify that I, CHARITY L. RUSSELL A/K/A CHARITY LEE HANEY RUSSELL Attorney-in-Fact for BRIAN T. RUSSELL A/K/A BRIAN TRAVIS RUSSELL whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me this day

that being informed of the contents of this instrument voluntarily executed same on the day the same bears date.

Given under my hand and seal this 28TH day of JUNE, 2002

My Comm. Exp.:

 NOTARY PUBLIC

MY COMMISSION EXPIRES OCTOBER 27, 2005

**EXHIBIT "A"**

**LOT 11, BLOCK 2, ACCORDING TO THE SURVEY OF WOODDALE THIRD SECTOR, AS  
RECORDED IN MAP BOOK 5, PAGE 133, IN THE PROBATE OFFICE OF SHELBY COUNTY,  
ALABAMA.**