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AFFIDAVIT  
REGARDING NON-REVOCATION OF POWER OF ATTORNEY

Before me, the undersigned Notary Public, in and for the State of Alabama-at-Large, personally appeared GAIL HUTTON, who having been by me first duly sworn, deposed as follows:

1. My name is GAIL HUTTON, I am over the age of twenty-one (21) years, and have personal knowledge of the facts stated herein.

2. On DECEMBER 12<sup>TH</sup>, 2002, JOSEPH A. SCARMUZZI appointed me as attorney-in-fact under a Power of Attorney, a true and correct copy of which is attached hereto as Exhibit A.

3. I have on this day exercised the above-referenced Power of Attorney by executing Warranty Deed, and various other documents relating to the SALE of a residence located in SHELBY County, Alabama, and being more particularly described as follows, to-wit:

LOT 13, ACCORDING TO THE SURVEY OF COBBLESTONE SQUARE, AS RECORDED IN MAP BOOK 16, PAGE 153, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. .

4. At the time of the execution of the above-mentioned closing documents and exercise of the Power of Attorney, I had no actual knowledge of the termination of the power by revocation or of JOSEPH A. SCARMUZZI death. I know JOSEPH A. SCARMUZZI to be still living, and have never been notified since the execution of the Power of Attorney that he/she/or it has revoked said power.

5. I am making this Affidavit pursuant to Code of Alabama 1975 Section 26-1-2(e).

Witness my hand and seal this the 20<sup>th</sup> day of DECEMBER, 2002.

Gail Hutton (L.S.)  
Affiant and Attorney-in-Fact

Subscribed and sworn to before me on this the 20<sup>th</sup> day of DECEMBER, 2002.

[Signature]  
Notary Public

My Commission Expires: 10.2.05