

STATE OF ALABAMA)
COUNTY OF SHELBY)

GRANTOR'S AND SCRIVENER'S AFFIDAVIT

COME NOW Horace R. Eddings, Jr. (Grantor) and Mitchell A. Spears
(Scrivener), as Affiants herein, and after first having been duly sworn , said Affiants do
hereby depose and say, as follows:

1. That Affiants have personal knowledge of the facts stated herein, are over the age of 19 years, and competent to execute this Affidavit.
2. Pursuant to Warranty Deed dated April 26, 1947, which was recorded in the Office of the Probate Judge of Shelby County, Alabama, at Deed Book 252, Page 716, Horace R. Eddings and Lucille Eddings received the conveyance of title to certain property situated in Shelby County, Alabama, more particularly described as follows:

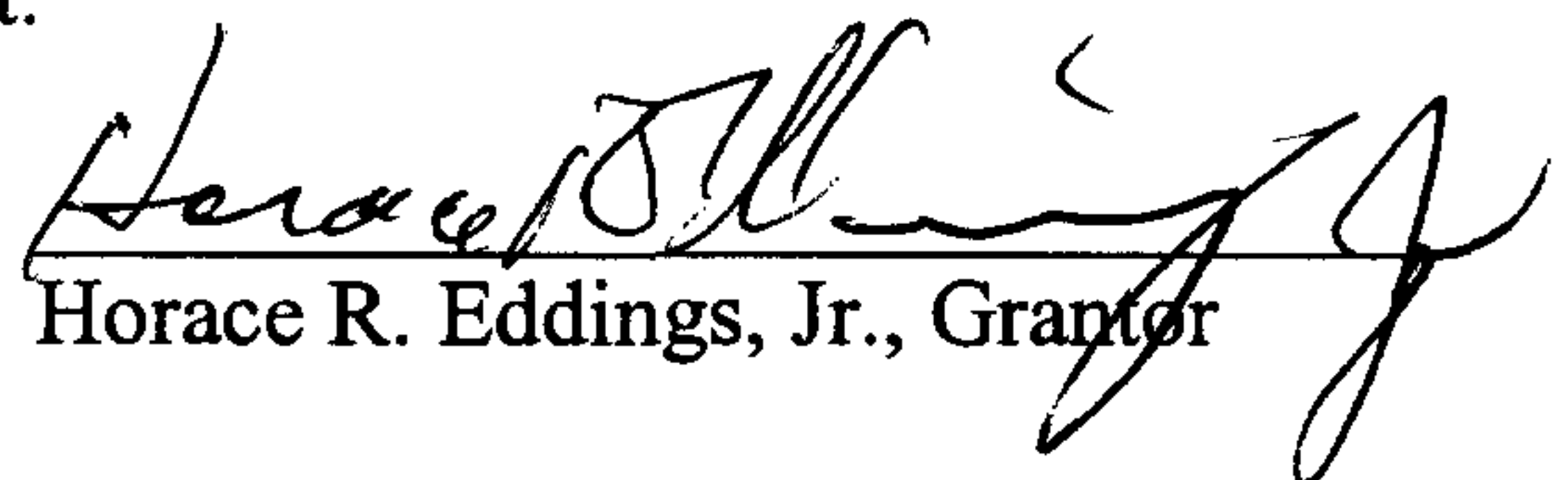
Beginning on the North Margin of the right of way of the Montevallo and Tuscaloosa Public road at a point 137 feet east of the intersection of said road with the west line of the Northeast Quarter of the Northeast Quarter, Section 3, Township 22, Range 4 West, and run thence in an easterly direction along the north margin of said road a distance of 210 feet to a point; thence North 210 feet to a point; thence in a westerly direction and parallel with said road 210 feet, thence south 210 feet to the point of beginning, containing one acre, more or less, upon which there is situated a six room dwelling house. All being in the west half of the Northeast Quarter of the Northeast Quarter, Section 3, Township 22, Range 4 west. Surface rights only.

3. On August 27, 1999, Horace R. Eddings and Lucille Eddings, by and through her Attorney in Fact, Horace R. Eddings, Jr., via Warranty Deed conveyed subject property to Horace R. Eddings, Jr. and Sandra J. Bouldin the only children ever born to Horace R. Eddings and Lucille Eddings. Said Warranty Deed was recorded in the Office of the Probate Judge, Shelby County, Alabama at Instrument Number 1999-36544.
4. At the time of the August 27, 1999 conveyance, Horace R. Eddings, Jr., was the true and lawful Attorney in Fact for Lucille Eddings, pursuant to Durable Power of Attorney executed by Lucille Eddings on March 17, 1997. Said Power of Attorney was not recorded with said Deed, due to the inadvertence of the Scrivener herein. Consequently, the original of said Power of Attorney, which was in effect, and had not been revoked on August 27, 1999, or at any time thereafter, is hereto attached as **Exhibit "A"**, same of which provided the Attorney in Fact with full authority to enter into such conveyance.

Return to: M A Spears

5. Lucille Eddings was one and the same person as Lucille M. Eddings, and at times during her lifetime, used both names interchangeably. Lucille Eddings deceased on November 18, 2003, and was predeceased by her husband, Horace R. Eddings.
6. This Affidavit is submitted and recorded for the purpose of validating the authority of the Attorney in Fact of Lucille Eddings to execute that Warranty Deed recorded in the office of the Probate Judge, Shelby County, Alabama at Instrument Number 1999-36544.

FURTHERMORE, the Affiants saith naught.


Horace R. Eddings, Jr., Grantor

STATE OF ALABAMA)
COUNTY OF SHELBY)

Sworn to and subscribed before me this 18th day of December, 2003.


Notary Public
My commission expires: 9/4/06


Mitchell A. Spears, Scrivener

STATE OF ALABAMA)
COUNTY OF SHELBY)

Sworn to and subscribed before me this 18th day of December, 2003.


Notary Public
My commission expires: 9/4/06

STATE OF ALABAMA)
COUNTY OF SHELBY)

EXHIBIT "A"

DURABLE POWER OF ATTORNEY

I, LUCILLE M. EDDINGS, hereinafter designated as "Principal", as a resident of SHELBY County, Alabama, do hereby constitute and appoint, HORACE R. EDDINGS, JR., hereinafter designated as "Attorney in Fact", of SHELBY COUNTY, ALABAMA, as my true and lawful Attorney in Fact in and for the State of Alabama, and all other Counties and States, including foreign countries, wherein the need may arise, for the following purposes:

To sign the name of said Attorney in Fact as surety to, and to execute, seal and acknowledge any and all bonds, mortgages, instruments and other documents, including the execution of deeds or other documents for the purpose of transferring or conveying any right, title or interest which I may own in and to real estate located within the State of Alabama, or any other State, and to do and perform any and all other acts which may accrue to my interest, within the discretion of said Attorney in Fact.

This instrument shall be construed as a complete and Durable Power of Attorney, and shall vest in said Attorney in Fact full power and authority to do, conduct and perform all personal and business matters of whatever nature, which I have the power and authority to do, conduct and perform for myself, without any limitations whatsoever. The herein designated Attorney in Fact shall have the authority to act in the performance or undertaking of any of the above designated duties or tasks.

The above designated Principal hereby specifically confers upon said Attorney in Fact the authority to execute any and all notes, mortgages, waivers, disclosures, assignments, assumptions, or any and all other documents for which the need may arise on behalf of me, the Principal herein, and for my benefit, to any other party or entity which said Attorney in Fact may deem advisable and appropriate. Furthermore, said Attorney in Fact shall have the power and authority to liquidate any of my assets, or any portion thereof, including, but not limited to, the execution of Deeds, contracts for sale of real estate, leases, or any other like document which may be executed for the purpose of sale, transfer or conveyance of any of said assets, including real estate.

This Durable Power of Attorney shall not be affected by the disability, incompetency or legal incapacity of the Principal; and all acts done by said Attorney in Fact pursuant to the powers granted herein during any period of disability, incompetency or incapacity of said Principal shall have the same effect and inure the benefit of, and bind me and my successors in interest as if I were competent, not disabled and not incapacitated.

If, following execution of this Durable Power of Attorney, a Court of my domicile appoints a guardian, curator or other fiduciary charged with the management of my estate, or any portion thereof, said Attorney in Fact shall be accountable to the said fiduciary, as well as the Principal. Said fiduciary shall have the same power to revoke or amend the Power of Attorney that I, as Principal, would have had if I were not disabled, incompetent or incapacitated.

I hereby nominate the herein named Attorney in Fact to serve as my guardian, conservator or other fiduciary in the event that any Court of competent jurisdiction has occasion to make such appointment at some future date.

Return To: Mr. H. Eddings

Furthermore, I specifically revoke any and all prior Powers of Attorney issued by me to any Attorney in Fact, and direct that any and all such prior Power of Attorney and/or Powers of Attorney are hereby cancelled, nullified and held void, or for naught.

Lucille M. Eddings
LUCILLE M. EDDINGS

STATE OF ALABAMA)
COUNTY OF SHELBY)

20031222000820330 Pg 4/4 20.00
Shelby Cnty Judge of Probate, AL
12/22/2003 10:34:00 FILED/CERTIFIED

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that LUCILLE M. EDDINGS, whose name is signed to the foregoing Durable Power of Attorney, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this document, said Principal executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17th day of March,
1997.

mks

L. Michele K. Spears
Notary Public
My Commission Expires: 5-17-99

Prepared By:
MITCHELL A. SPEARS
ATTORNEY AT LAW
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