



20040205000059700 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
02/05/2004 09:26:00 FILED/CERTIFIED

POWER OF ATTORNEY

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF JEFFERSON)

WHEREAS, Cynthia K. Smothers and Tom E. Smothers signed a sales contract, dated December 29, 2003 for the purchase of a single family residence from Chesser Plantation, Inc., said property being located at 219 Chesser Plantation Lane, Chelsea, Alabama 35043, and being legally described as follows:

Lot 4, according to the Amended Survey of Chesser Plantation, Phase I, Sector I, as recorded in Map Book 31 Page 21A & B, in the Probate Office of Shelby County, Alabama (the "Property"); and

WHEREAS, ABN AMRO Mortgage Group, Inc. has agreed to make a mortgage loan to Tom E. Smothers and Cynthia K. Smothers for the purchase of said property, and

WHEREAS, Cynthia K. Smothers is a resident of Evansville, County of Vanderburgh, Indiana and will be unavailable at the time of the closing of the purchase of the Property and desire to authorize my husband, Tom E. Smothers, to act in my stead and to sign all documents necessary to close the purchase of the Property from Chesser Plantation, Inc., and the closing of the loan being made by ABN AMRO Mortgage Group, Inc., including the closing statement, the Note, the Mortgage and any and all other documents necessary to complete the purchase of said Property.

I specifically authorize and grant to my said attorney-in-fact full power and authority to do, take, and perform all and every act and everything whatsoever requisite, proper or necessary to be done in the purchase and mortgage of the Property, as fully to all intents and purposes as I might or could do if personally present, with full power to execute any application for credit or information or document in connection therewith, mortgage note, mortgage, acknowledgment of disclosure, closing statement or other document deemed advisable or necessary by my attorney-in-fact in connection with the purchase of the Property. I further and specifically authorize and grant to my attorney-in-fact full power and authority to sign my name to a first mortgage to be granted in favor of ABN AMRO Mortgage Group, Inc., its successors and/or assigns as their interest may appear. Said first mortgage is to secure a mortgage loan in the principal amount of \$162,000.00 plus interest at an interest rate of 5.50% per annum. The mortgage loan shall be payable in 360 monthly installments. It is my intention that my attorney-in-fact will be able to do everything necessary or desirable in order to consummate the purchase of said Property, whether in accordance with such contract or any amendment to such contract regarding the purchase of such residence.

I do hereby authorize Tom E. Smothers to do any and all further acts which may or might be necessary in order to consummate said purchase, and hereby ratify and confirm all

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acts of my said attorney-in-fact hereunder.

THIS POWER OF ATTORNEY SHALL NOT BE AFFECTED BY THE
DISABILITY, INCOMPETENCY OR INCAPACITY OF THE UNDERSIGNED.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 27th
day of January, 2004.

Cynthia K. Smothers
Cynthia K. Smothers

STATE OF INDIANA
COUNTY OF Vanderburgh

I, the undersigned, a Notary Public in and for said County and State, hereby certify that
Cynthia K. Smothers, whose name is signed to the foregoing Power of Attorney, and who is
known to me, acknowledged before me on this day that, being informed of the contents of said
Power of Attorney, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 27th day of
January, 2004.

Peggy A. Kelly Groves
Notary Public
My Commission Expires: 9/21/06

(SEAL)
#112316

Peggy A. Kelly Groves
Notary Public, State of Indiana
Vanderburgh County
My Commission Expires 09/21/2006