

STATE OF ALABAMA
COUNTY OF SHELBY

20040601000290770 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
06/01/2004 13:16:00 FILED/CERTIFIED

**DURABLE POWER OF ATTORNEY
(Specific and Limited)**

This power of attorney shall not be effected by disability, incompetency, or incapacity of the principals in accordance with Alabama Code Section 26-1-2 (1975).

1. **APPOINTMENT OF ATTORNEY IN FACT.** I, **Allen H. Smith**, as principal ("Principal"), resident of the State and County aforesaid, has made, constituted and by these presents to make, constitute and appoint, **Sally S. Smith** as my true and lawful agent and attorney-in-fact ("Agent") to do and perform the following:

To do any and all acts, to take any actions and execute any documents in connection with the sale of the property described as:

See attached exhibit "A"

To do any and all acts, to take any actions and execute any documents in connection with the sale of the property located at 3206 Glasgow Lane, Birmingham, AL 35242, including signing all loan documents, settlement statement or other related documents as I may do in my own stead. This Power of Attorney shall be valid and of full force and effect for forty-five (45) days from the date of execution of this Power of Attorney.

2. **EXECUTION AND DELIVERY.** The execution and delivery by Agent of any check, draft, conveyance, paper, deed, instrument or document in my name and behalf shall be conclusive evidence of Agent's approval of the consideration therefore, and of the form and contents thereof, and that Agent deems the execution thereof in my behalf necessary and desirable.

3. **RELIANCE ON AUTHORITY.** Any person, firm or corporation dealing with Agent under the Authority of this instrument is authorized to deliver to Agent all consideration of every kind or character with respect to this transaction so entered into by the Agent and shall be under no duty or obligation to see to or examine into the disposition thereof. Third parties may rely upon the representation of Agent as to all matters relating to any power granted to Agent, and no person who may act in reliance upon the representation of Agent or the authority granted to Agent shall incur liability to me or my estate as a result of permitting Agent to exercise any power.

4. **LIMIT ON AGENT'S AUTHORITY.** The authority of the Agent is specific and limited to the sale of the property located at 3206 Glasgow Lane Birmingham, AL 35242.

5. **EFFECTIVE DATE OF AGENT'S AUTHORITY.** This Specific and Limited Durable Power of Attorney shall become effective upon its execution by the Principal and delivery to the Agent.

IN WITNESS WHEREOF, I, as Principal, have executed this Specific and Limited Durable Power of Attorney.

Dated this 20th day of May, 2004

Principal:

Allen H. Smith

Allen H. Smith

STATE OF ALABAMA
COUNTY OF Calhoun

On May 20, 2004, before me the undersigned Notary Public, in and for said County and State, personally appeared, **Allen H. Smith**, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument subscribed to me that the entity, being informed of the contents, upon whose behalf he/she acted voluntarily, executed the instrument.

WITNESS my hand and official seal this 20th day of May, 2004.

Chris Battles
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 30, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Chris Battles

EXHIBIT "A" LEGAL DESCRIPTION

Lot 18, according to the Map and Survey of Kerry Downs, First Addition, as recorded in Map Book 7, Page 73, in the Probate Office of Shelby County, Alabama.

Also: Part of Lot 17, First Addition to Kerry Downs, as recorded in Map Book 7, Page 73, in the Office of the Judge of Probate, Shelby County, Alabama, more particularly described as follows: Begin at the most Southerly corner of Lot 18 of said subdivision, thence in a Northwesterly direction along the Northerly line of said Lot 17, a distance of 137.13 feet to a point on the Easterly right of way line of Glasgow Circle, said point also being on a curve to the right having a radius of 50.00 feet and a central angle of $8^{\circ}01'17''$; thence left in a Southeasterly direction and along said curve and right of way line to the right a distance of 7.00 feet; thence $4227^{\circ}01''$ left from tangent of said curve in a Southeasterly direction a distance of 130.67 feet to a point on the most Northeasterly line of said Lot 17; thence $77^{\circ}15'$ left in a Northeasterly direction a distance of 4.46 feet to the point of beginning.