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Shelby Cnty Judge of Probate, AL
07/06/2004 13:31:00 FILED/CERTIFIED

STATE OF ALABAMA)

COUNTY OF SHELBY)

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, **JAMES M. FRANKS**, of the City of Alabaster, Shelby County, Alabama have made, constituted and appointed, and by these presents do make, constitute and appoint, my son, **JAMES B. FRANKS**, of the City of Indian Springs, Shelby County, Alabama, and if my son **JAMES B. FRANKS** cannot serve, then, I do make, constitute and appoint, my son **CHARLES D. FRANKS**, of the City of Cadiz, Kentucky, as my true and lawful attorney for me and in my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect and receive all sums of money, debts, accounts, legacies, bequest, interests, dividends, annuities, and demands whatsoever as are now or shall hereafter become due, owing, payable or belonging to me, and have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachment, arrests, distress or otherwise and compromise and agree for the same, or other discharges for the same, for me, and in my name, to make, seal and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments and accept the seizing and possession of all lands and all deeds and assurances, in the law therefore, and to lease, let demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, hereditaments, upon such terms and conditions, and under such covenants, as he/she shall think fit; also to bargain and agree for, buy, sell, mortgage, hypothecate, and in any manner deal in and with goods, wares, and merchandise, choices in action and other property in possession or in any action, and to make, do, and transact all and every kind of business of whatsoever nature or kind, and also for me in my name, and as my act and deed, to sign, seal, execute, deliver and acknowledge such deeds, leases and assignments of leases, covenants, indentures, agreements, mortgages, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases and satisfactions of mortgages, judgments and other debts, and such instruments in writing of whatever kind as may become necessary or proper in the premises.

This Power of Attorney shall not be affected by disability, incompetence, or incapacity of the principal.

Giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might do if personally present, with full power of substitution or revocation, hereby ratifying and confirming that my said attorney, or his/her substitutes, shall lawfully do or cause to be done by these presents.

This Power of Attorney shall remain in effect until revoked by me in writing and said revocations recorded in the office of the Probate Judge of Shelby County, Alabama. This document hereby expressly revoked any previous Power of Attorney executed by me, regardless of requirements of revocation contained therein.

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Durable Power of Attorney
James M. Franks

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WITNESS my hand this the 1st day of July, 2004.

James M. Franks
JAMES M. FRANKS

Witness:

R. Scott Oyer

Paula Scale

Sworn to and subscribed before me this the 1st day of July, 2004.

Brenda M. Hefner
Notary Public