

State of Alabama )  
County of Shelby )

POWER OF ATTORNEY

I, **Wade A. Yates**, of Shelby County, Alabama, do hereby appoint **Ann Bailey Yates** of Shelby County, Alabama, my true and lawful attorney-in-fact, for me and in my name, place, and stead, and for my use and benefit to grant, bargain, sell and convey my real property or any part thereof (both surface and minerals), located at 5453 Hickory Ridge Dr., Birmingham, Alabama, and more particularly described as:

*Lot 90 Survey of Hickory Ridge as recorded in Map Book 11 Page 59,  
Probate Office, Shelby County, Alabama,*

for such price and on such terms and conditions as she shall deem proper, with or without the taking back of a purchase money mortgage or deed of trust, and to collect and receive the proceeds from any such sale.

To enter into any contract or contracts for the sale of said premises, or any part thereof, with such persons which shall mean to include Ann Bailey Yates and on such terms as she shall in her discretion elect and to execute, acknowledge, and deliver in my name such deeds or conveyances, with such covenants or conditions as she may deem proper, that may be required for the transfer of said property or any part thereof or of any interest therein.

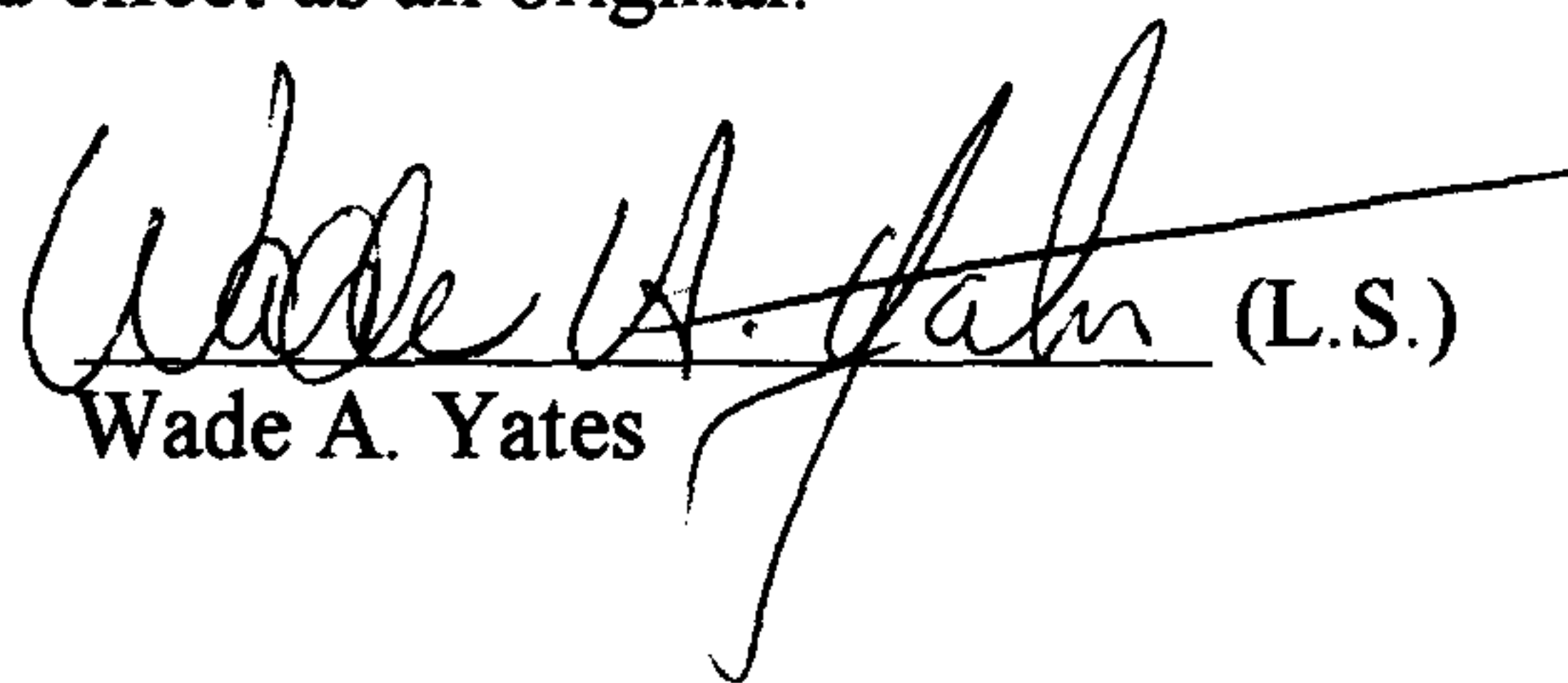
I further give and grant unto my said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to

Power of Attorney  
Wade A. Yates, Principal  
Ann Bailey Yates, Attorney-in-Fact  
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be done by virtue hereof.

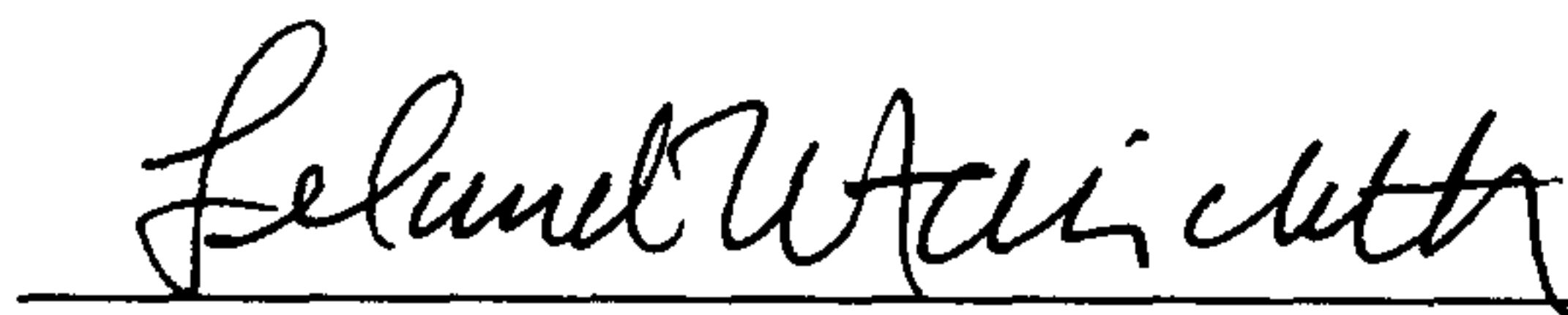
The rights, powers and authority of my said Attorney in Fact herein granted shall commence upon the execution of this instrument and shall be in full force and effect upon the execution of this instrument; the authority herein conferred shall not be affected by disability, incompetency, or incapacity of the said principal and such powers and authority shall remain in full force and effect until the death of the principal. Any action taken in good faith pursuant to the foregoing authority without actual knowledge of my death shall be binding upon me, my heirs, assigns and personal representatives.

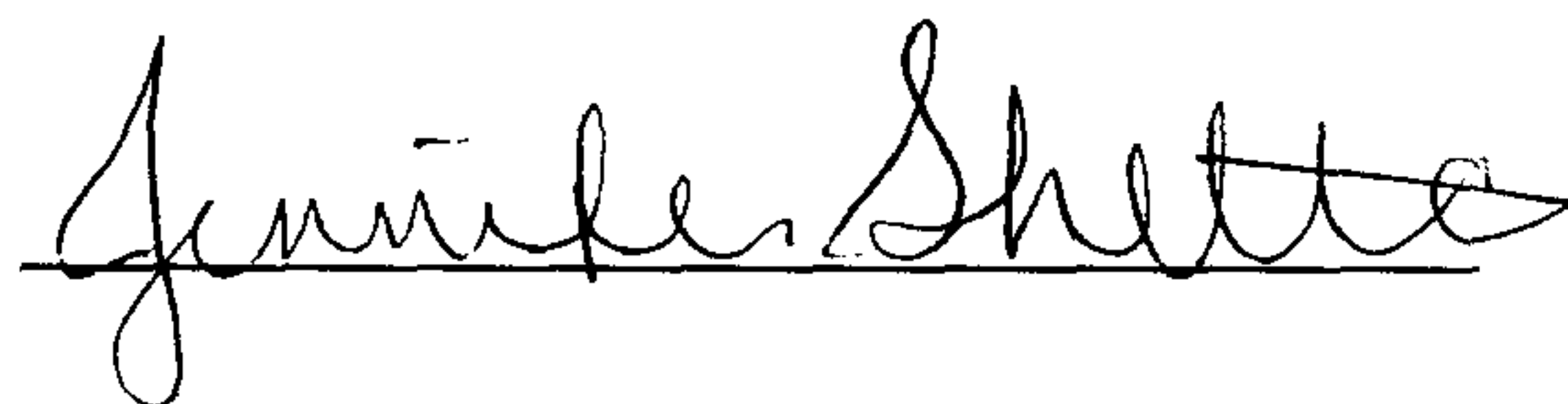
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12<sup>th</sup> day of July, 2003. Signed in two counter parts, each of which is an original, but all of which constitute one and the same instrument, and I further direct that photographic copies of this power be made which shall have the same force and effect as an original.

 (L.S.)  
Wade A. Yates

Signature acknowledged in the presence of:

Witnesses:






Power of Attorney  
Wade A. Yates, Principal  
Ann Bailey Yates, Attorney-in-Fact  
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STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Wade A. Yates whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the <sup>th</sup> 17 day of July, 2003.

  
Notary Public  
My Commission Expires: 2/7/08

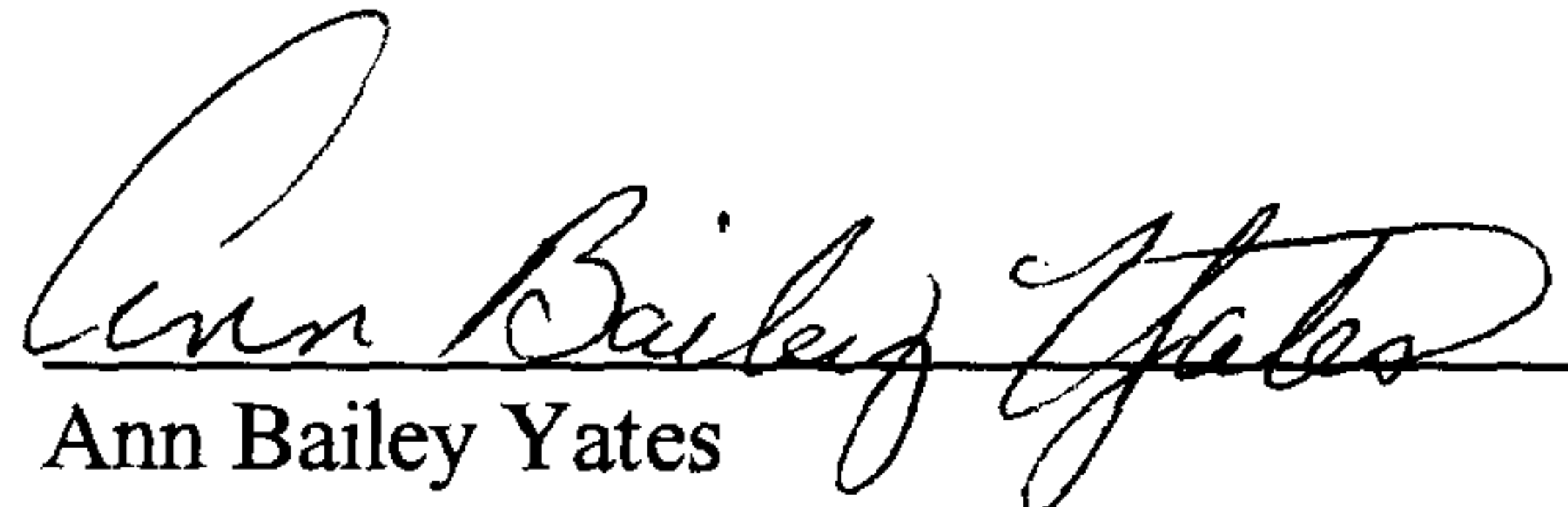
This Instrument Prepared by:  
Stella K. Tipton, Attorney at Law  
2363 Lakeside Drive  
Birmingham, AL 35244

**AFFIDAVIT - POWER OF ATTORNEY IN FULL FORCE**

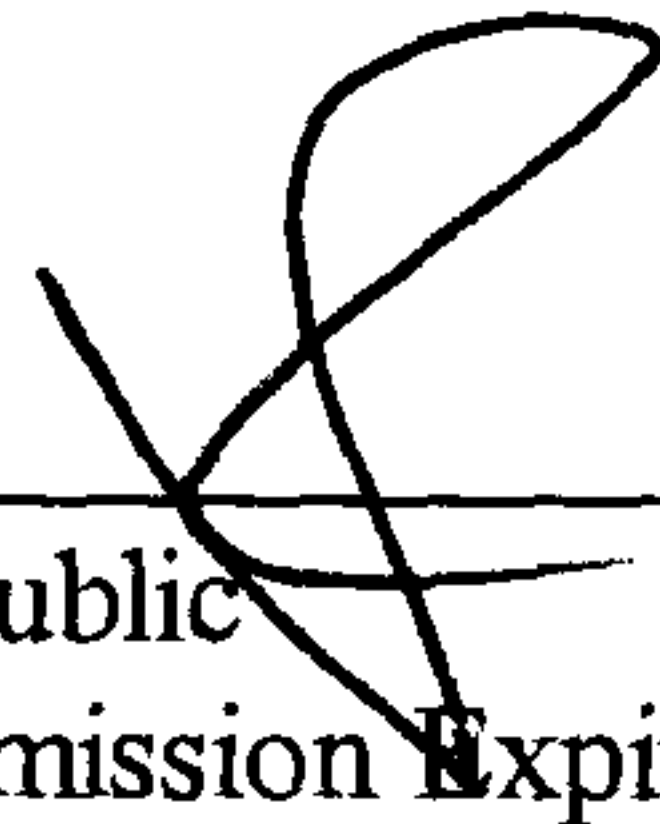
**STATE OF ALABAMA  
COUNTY OF SHELBY**

Ann Bailey Yates, being duly sworn, deposes and says that: The Power of Attorney granted to me by Wade A. Yates, on July 17, 2003, a true copy of which is annexed hereto is in full force and effect; that at the time of the execution of closing documents, on July 12, 2004, I had no knowledge of or actual notice of the revocation or termination of the Power of Attorney by death or otherwise.

I make this affidavit for the purpose of inducing to accept the above described instrument as executed by me as attorney-in-fact knowing that in accepting the aforesaid instrument they will rely upon this affidavit.

  
Ann Bailey Yates

Sworn to before me this 12<sup>th</sup> day of July, 2004.

  
Notary Public  
My Commission Expires: 02-25-05