## AFFIDAVIT REGARDING NON-REVOCATION OF POWER OF ATTORNEY

Before me, the undersigned Notary Public, in and for the State of Alabama-at-Large, personally appeared BERNICE WALDROP, who having been by me first duly sworn, deposed as follows:

- 1. My name is Bernice Waldrop, I am over the age of twenty-one (21) years, and have personal knowledge of the facts stated herein.
- 2. On July 30, 1998, Olen Abbott appointed me as Attorney-In-Fact under a Power of Attorney, a true and correct copy of which is attached hereto as Exhibit "A".
- 3. I have on this day exercised the above-referenced Power of Attorney by executing a Warranty Deed Jointly for Life with Remainder to Survivor and various other documents relating to the property located in Shelby County, Alabama, and being more particularly described as follows to-wit:

## See Attached Legal Description

- 4. At the time of the execution of the above-mentioned closing documents and exercise of the Power of Attorney, I had no actual knowledge of the termination of the power by revocation or of Olen Abbott's death. I know Olen Abbott to be still living, and have never been notified since the execution of the Power of Attorney that he has not revoked said power.
- 5. I am making this affidavit pursuant to Code of Alabama 1975 Section 26-1-2(a).

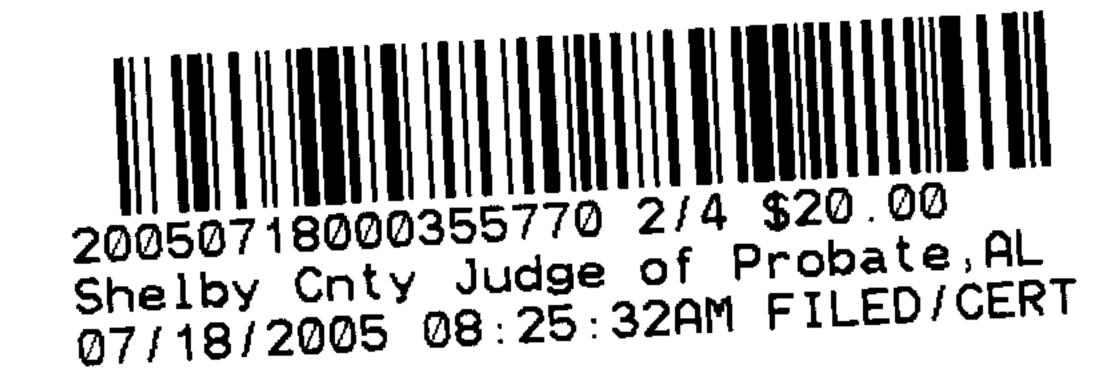
Witness my hand and seal this the 15 day of July, 2005.

Affiant and Attorney-In-Fact

Subscribed and sworn to Before me on this the 15th Day of July, 2005.

Notary Public

My commission expires: 09-22-2005



## SCHEDULE A - LEGAL DESCRIPTION

A parcel of land situated in the SE ¼ of the NW ¼ of Section 34, Township 19 South, Range 2 East, Shelby County, Alabama; being more particularly described as follows:

Commence at the SE corner of the SE ¼ of the NW ¼ of Section 34, Township 19 South, Range 2 East, and run West along the North line of said ¼ section for a distance of 230.82 feet to a point on the original Eastern right-of-way of Highway 280; thence turn 36 deg. 17 min. 31 sec. to the right and run in a Northwesterly direction along said original right-of-way for a distance of 895.55 feet to the point of beginning; thence continue along said course in a Northwesterly direction along said right-of-way for a distance of 50.00 feet; thence leaving said right-of-way turn 90 deg. 00 min. to the right and run in a Northeasterly direction for a distance of 50.00 feet; thence turn 90 deg. 00 min. to the right and run in a Southeasterly direction for a distance of 50.00 feet; thence turn 90 deg. 00 min. to the right and run in a Southwesterly direction for a distance of 220.00 feet to the point of beginning; being situated in Shelby County, Alabama.



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## GENERAL DURABLE POWER OF ATTORNEY

STATE OF ALABAMA

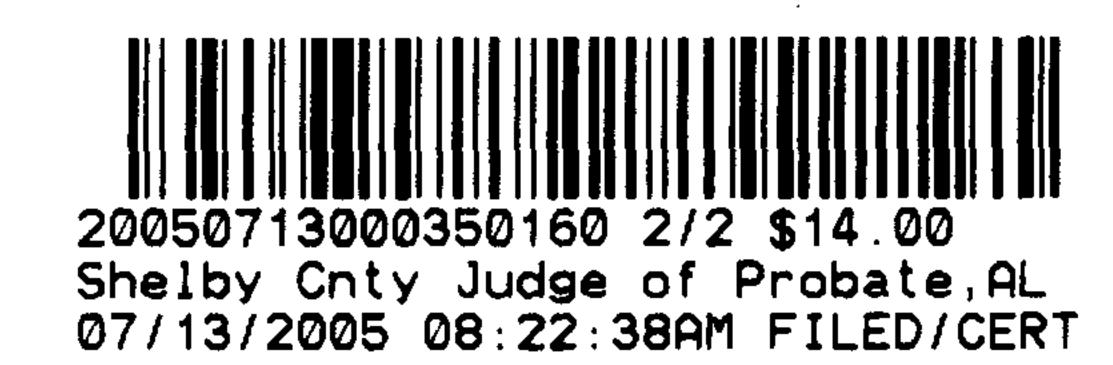
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that I, Olin P. Abbott, residing at 392 U.S. 280 East, Harpersville, County of Shelby, State of Alabama 35078, do hereby nominate, constitute, and appoint Bernice Waldrop, residing at 142 Pineview Street, Harpersville, County of Shelby, State of Alabama 35078, as my true and lawful attorney-in-fact, 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, dues, accounts, legacies, bequests, interest, 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, and to compromise and agree to the same and give acquittances or other sufficient discharges for the same;

For me and in my name to make, seal and deliver, bargain, contract, agree for, purchase, receive, and take lands, tenements, and hereditaments, and accept the possession of all lands, and all deeds and other assurances, in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions and under such covenants as she shall think fit;

Also to bargain and agree to buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action, and to make, do and transact all and every kind of business of whatsoever nature and kind;



And also for me and in my name, and as my act and deed, to sign, seal, execute, deliver, and acknowledge such deeds, leases, mortgages, hypothecations, bills of lading, bills, bonds, notes, receipts, evidence of debt, releases and satisfaction of mortgage, judgments and other debts, and such other instruments in writing of whatsoever kind and nature as may be necessary or proper in the premises;

and authority to do and perform every act necessary, requisite, or proper to be done in and about the premises 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 be done by virtue hereof.

This power of attorney shall not be affected by my disability, incompetency, or incapacity. If, following execution of this power of attorney, a court of my domicile appoints a guardian, curator, or other fiduciary charged with the management of all of my property, or all such property except specified exclusions, the court shall appoint Bernice Waldrop, except for good cause or disqualification.

IN WITNESS WHEREOF, I hereunto sign my name on this the 30 mg day of \_\_\_\_\_\_\_, 1998.

Colin P. Abbott

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State of Alabama Shelby County

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Olin P. Abbott, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, 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 30/3 day of , 1998.

Notary Public