

AFFIDAVIT AS TO POWER OF ATTORNEY BEING IN FULL FORCE

STATE OF ALABAMA)
) ss.
COUNTY OF SHELBY)

I/WE, Barry W. Martin, being duly sworn, state:

1. Barry W. Martin ("Attorney-in Fact") of Shelby County, Alabama, received a written Power of Attorney on 7th July, 2005, in which Jane C. Martin ("Principal") appointed the undersigned as his/her attorney(s)-in-fact.

2. As attorney(s)-in-fact and under and by virtue of the Power of Attorney, I/we have this date executed the following described instrument (s):

A mortgage with ING Bank in the amount of \$435,000.00, with respect to property located at 90 Miller Circle, Pelham, AL 35124.

3. At the time of executing the above described instrument I/we had no actual knowledge or actual notice of revocation or termination of the Power of Attorney by death, disability or otherwise, or notice of any facts indicating the same.

4. I/we represent that the principal is now alive; has not, at any time, revoked or repudiated the power of attorney; and the power of attorney still is in full force and effect.

5. I/we make this affidavit for the purpose of inducing LSI/Chicago Title Insurance Company and Fidelity Title Insurance Company to accept delivery of the above described instrument, as executed by me/us in my/our capacity of attorney(s)-in-fact for the Principal. Barry W. Martin, Attorney-in-fact

Acknowledged/Sworn to before me [Signature] this 8 day
of July, 2005.

Barbara S Byrd Notary Public

My commission expires:

NOTARY PUBLIC, STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 2, 2007
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Exhibit A


Legal Description:

The following described real estate situated in Shelby County, Alabama, to-wit:

Lot 2, according to the Survey of Colburn Subdivision as recorded in Map Book 9, Page 24, in the Probate Office of Shelby County, Alabama.

Parcel/Tax I.D. #: 10-5-21-0-001-032.002

Commonly known as: 90 Miller Circle, Pelham, AL 35124


20050812000416710 2/2 \$14.00
Shelby Cnty Judge of Probate, AL
08/12/2005 04:06:03PM FILED/CERT