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Shelby Cnty Judge of Probate, AL
04/21/2006 12:58:55PM FILED/CERT

STATE OF ALABAMA)
JEFFERSON COUNTY)

AFFIDAVIT REGARDING NON-REVOCATION OF POWER-OF-ATTORNEY

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, personally appeared William E. Fixler who having been by me first duly sworn, deposed as follows:

1. My name is William E. Fixler. I am over the age of twenty-one (21) years, and have personal knowledge of the facts stated herein.

2. On April 13, 2006, Robin R. Fixler appointed me as attorney-in-fact under a Power of Attorney, a copy of which said Power of Attorney is being recorded simultaneously herewith.

3. I have on this day exercised the above referenced Power of Attorney by executing certain closing documents which may include, but is not limited to, a closing statement, deed, lien waiver, judgment affidavits, and mortgage relating to the purchase/sale of real property located in Shelby County, Alabama, and being more particularly described as follows:

> Lot 861, according to the Survey of Greystone Legacy, 8th Sector, Phase II, as recorded in Map Book 31, Page 54, A B & C, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

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 the principal' s death. In the event that the Power of Attorney is not a Durable Power of Attorney, I furthermore have no knowledge of the termination of the Power by the Principle' s disability, incompetency or incapacity. I believe the principal to still be living, and have not been notified since the execution of the Power of Attorney that he/she has revoked said Power.

5. I am making this Affidavit pursuant to Code of Alabama 1975 Section 26-1-2(e).

WITNESS my hand and seal this the 14th day of April, 2006.

AFFIANT AND ATTORNEY-IN-FACT

SWORN TO AND SUBSCRIBED BEFORE ME on this the 14th day of April, 2006

Notary Public

My Commission Expires: 11-19-06

File Number: 20060205