

STATE OF GEORGIA

COUNTY OF Bibb

20061109000551570 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
11/09/2006 10:22:18AM FILED/CERT

SPECIAL DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, which are intended to constitute a Durable Power of Attorney, that I, **JAMES L. THOMAS**, as co-personal representative and beneficiary of the Estate of Mary Jo Bass Thomas, the undersigned, of Macon, Georgia, do hereby make, constitute and appoint **PATRICK LYNCH** of Birmingham, Alabama, my true and lawful Attorney-in-Fact, for me and in my name, place and stead, and on my behalf and for my use and benefit, to exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power, or capacity to exercise or perform, in connection with, arising from, or relating to the sale of the entire interest in the real property located at 5033 Kerry Downs Road, Birmingham, Alabama 35242 for a purchase price of not less than \$210,000, including, without limitation:

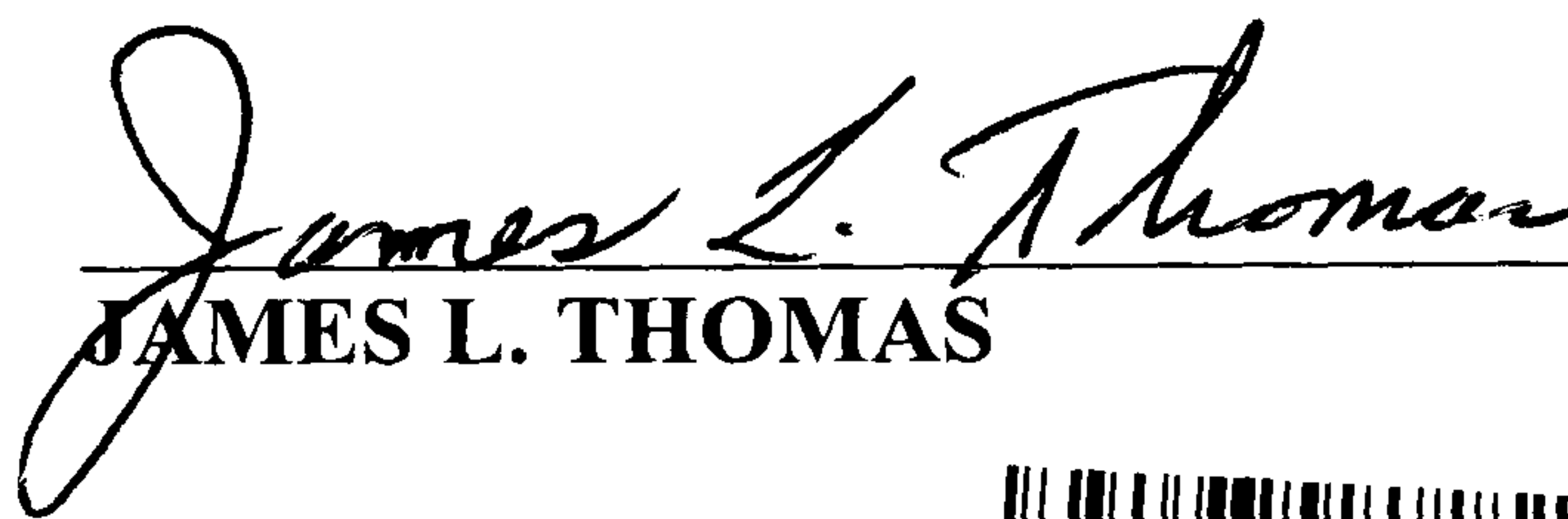
1. To sell, convey and hypothecate, and in any way or manner deal with my interest in the real property located at 5033 Kerry Downs Road, Birmingham, Alabama 35242, for me, in my behalf, and in my name and under such terms and conditions, and under such covenants, as my said Attorney-in-Fact shall deem proper; and
2. To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds and similar instruments relating to the sale of such real property as may be necessary or proper in the exercise of the rights and powers herein granted.
3. To receive on my behalf the sales proceeds of the Property, and in connection with such proceeds, to deposit checks in, or to direct wire transfers to, any one of my bank accounts, or those of any revocable trust of mine.

I grant to my said Attorney-in-Fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my said Attorney-in-Fact, or his substitute, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

This instrument is to be construed and interpreted as a durable and general power of attorney. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to my said Attorney-in-Fact.

The rights, powers and authority of my said Attorney-in-Fact herein granted shall commence and be in full force and effect on the date hereof; the authority conferred herein shall not be affected by disability, incompetency, or incapacity of the said principal, **JAMES L. THOMAS**; and such rights, powers and authority shall remain in full force and effect thereafter until revocation of this instrument, in writing, by said principal, **JAMES L. THOMAS**. 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, as Principal, I have signed this Durable Power of Attorney at Macon, Georgia, this 18 day of October, 2006, and I have directed that photographic copies of this power be made which shall have the same force and effect as an original.

 (L.S.)
JAMES L. THOMAS


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STATE OF GEORGIA

COUNTY OF Houston

I, the undersigned, Notary Public in and for said County in said State, hereby certify that **JAMES L. THOMAS**, 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.

Given under my hand this 18th day of October, 2006.

[NOTARIAL SEAL]

Pamela G. Noble

Notary Public

My commission expires: _____

My Commission Expires
September 23, 2007

THIS INSTRUMENT PREPARED BY:

William E. Shanks, Jr.
Balch & Bingham LLP
P.O. Box 306
Birmingham, Alabama 35201
(205) 251-8100


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