

**AFFIDAVIT THAT POWER OF ATTORNEY
IS IN FULL FORCE AND EFFECT**

STATE OF ALABAMA, COUNTY OF SHELBY, SS.:

I, Marjorie Ann Smith, being duly sworn, depose and say:

THAT, Ellis Smith, having an address at 16055 East Aintree Drive, Loxahatchee, Florida 33470, as principal, did, in a writing dated November 7, 2006, appoint me his true and lawful attorney, and that attached hereto is a true copy of said power of attorney.

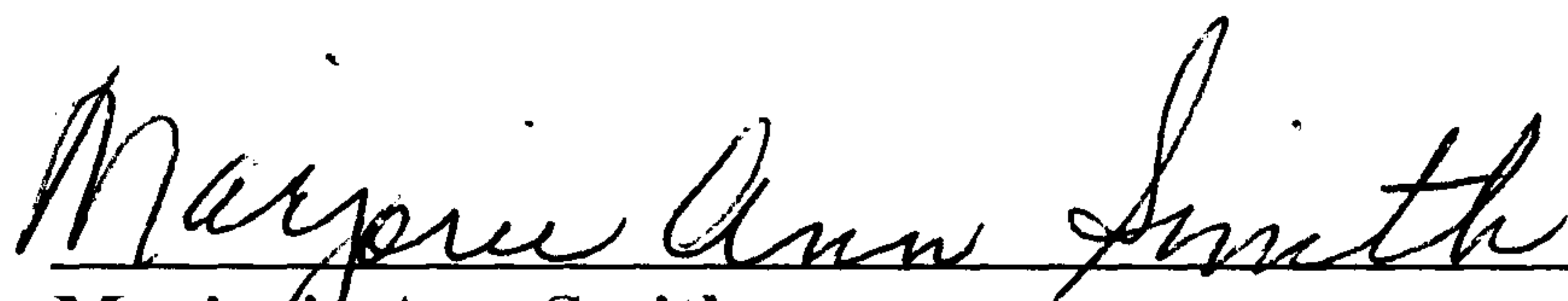
THAT I have no actual knowledge or actual notice of the revocation or termination of the aforesaid power of attorney by death or otherwise, or knowledge of any facts indicating the same. I further represent, to the best of my knowledge after diligent search and inquiry, that: said principal is now alive, well and competent; has not, at any time, revoked, terminated, suspended or repudiated the power of attorney; and the power of attorney still is in full force and effect.

THAT I make this affidavit for the purpose of signing any and all closing documents or other instruments necessary to sell the property located at 106 Hidden Creek Circle, Pelham, Alabama 35124, and to induce United General Title Insurance Company to issue title insurance in favor of the lender and owner regarding this property which is more specifically described as:

Lot 4, according to the Resurvey of Lots 1 through 23 Hidden Creek, as recorded in Map Book 24, Page 7, in the Probate Office of Shelby County, Alabama.

I further agree to indemnify Closing Services, Inc. and/or G. Wray Morse, United General Title Insurance Company and America's Wholesale Lender, its successors and/or assigns, from any loss or damage that may arise as a result of a reliance by the aforementioned parties on the Power of Attorney.

Dated: November 20, 2006


Marjorie Ann Smith

Subscribed and sworn to before me, a notary public, in said County and State, as witness my hand and official seal, on this 20th day of November, 2006.



Notary Public - G. Wray Morse

My commission expires: 9/10/2008