

**LIMITED DURABLE POWER OF ATTORNEY**

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that **Freida Whatley**, whose address is 309 Wind Ridge NE, Jacksonville, Alabama 36265, (hereinafter referred to as "Principal"), does by these presents make, constitute and appoint, **James Whatley, Jr.**, and/or his designated representative as my true and lawful agent(s) and attorney-in-fact (hereinafter referred to as "Agent") to do and perform for me and in my name, place, and stead, and for my use and benefit, to execute the promissory note, mortgage, lien waiver and any and all documents necessary to obtain the Mortgage Loan on the below described property being more particularly described as the following real estate, situated in Shelby, Alabama, to-wit:

Lot 30-07, according to the Map of Highland Lakes, 30th Sector, an Eddleman Community, as recorded in Map Book 34, Page 116, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. #1996-17543 and amended in Inst. # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 10th Sector, Phase II, recorded as Instrument No. 20050531000260070 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

with a property address of **360 Highland View Drive, Birmingham, Alabama 35242**, including, but not limited to the Note, Mortgage, any applicable Riders thereto, Settlement Statement, HUD Certification, FNMA 1009 Affidavit and Agreement, Name Affidavit, Compliance Agreement, Truth-in-Lending Statement, Lien Waiver and any other documents required for said loan for the above described property to **Regions Bank dba AmSouth Bank**, the mortgage loan to be in the amount of **Nine Hundred Twenty-Eight Thousand and no/100-----Dollars (\$928,000.00)**, amortized over a term of 30 years with an adjustable interest rate starting at 5.875% and an equity line loan to **Regions Bank dba AmSouth Bank** in the amount of **One Hundred Sixteen Thousand and no/100-----Dollars (\$116,000.00)** with an initial interest rate of 5.25% for the first four months and then the interest rate will be based on one percent (1.00%) below the prime rate as it may change from time to time.

I further give and grant unto my said attorney-in-fact and agent full power and authority to do and perform every act necessary and proper to be done and the exercise of any of the foregoing powers 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 Agent shall lawfully do or cause to be done by virtue hereof.

This power of attorney shall not be effected by disability, incompetency, or incapacity of Principal.

The execution and delivery by Agent of any conveyance, paper, instrument or document in my name and behalf shall be conclusive evidence of Agent's approval of the consideration therefore, and of the form and contents thereof, and that Agent deems the execution thereof on my behalf necessary or desirable.

IN WITNESS WHEREOF, the undersigned has executed this limited power of attorney on the 30<sup>th</sup> day of November, 2006.

Sara Howell Blount  
Witness

Freida Whatley  
Freida Whatley

CLAYTON T. SWEENEY, ATTORNEY AT LAW

STATE OF ALABAMA }  
COUNTY OF }

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **Freida Whatley**, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, she executed the same voluntarily on the day the same bears date.


Given under my hand this the 30 day of November, 2006.

(AFFIX SEAL)

Sara Howell Blount  
Notary Public

My commission expires: 4/25/2008

This instrument was prepared by:  
Clayton T. Sweeney, Attorney At Law  
2700 Highway 280 East Suite 160  
Birmingham, Alabama 35223

  
20061206000591820 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
12/06/2006 01:42:03PM FILED/CERT

20061206000591820 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
12/06/2006 01:42:03PM FILED/CERT

**NOTICE!**

**A SEPARATE AFFIDAVIT MUST BE COMPLETED FOR EACH SIGNER**

NOTARY'S AFFIDAVIT

STATE OF Alabama }  
COUNTY OF Calhoun }

I hereby certify, under the penalty of perjury, that I am authorized to act as a Notary Public, in and for the above County and State, and that in performing my duties as a Notary Public, I have complied with all applicable State and Local Laws and that I have been presented with original government issued identification which has not expired and which bears a photo or physical description and has a signature which matches the signature on the documents being executed herein. A copy of the identification is attached.

I notarized the signature of Freida Whalley  
(Enter one name only)

Date of Notarial acknowledgement: 11/30/2006

Capacity of signer: \_\_\_\_\_ Individual  
\_\_\_\_\_ Corporate Office (Title: \_\_\_\_\_)  
\_\_\_\_\_ Partner (\_\_\_\_ Limited/\_\_\_\_ General)  
\_\_\_\_\_ Attorney in Fact  
\_\_\_\_\_ Trustee  
\_\_\_\_\_ Guardian/Conservator  
 Other: \_\_\_\_\_

Identification used: Driver Lic - Ala

Title and Date of Document(s): Limited Durable Power of Attny

Sara Howell Blount  
NOTARY PUBLIC SIGNATURE

SARA HOWELL BLOUNT  
Print Name  
123 COLLEGE ST SW  
Print Address  
JACKSONVILLE AL 36265  
(256) 782-5676  
Phone Number

Note: This document does not require recordation