

STATE OF ALABAMA  
JEFFERSON COUNTY

**POWER OF ATTORNEY AFFIDAVIT**

Before me, A Notary Public in and for said County and State, appeared Gerald P. Scrushy, who after being duly sworn deposes and says as follows:

My name is Gerald P. Scrushy. I am the individual authorized to act in the name of Brandon M. Scrushy a/k/a Brandon Marin Scrushy by that General (Durable) Power of Attorney executed on July 11, 2007. This Affidavit is given contemporaneously with the execution by me as the attorney in fact for Brandon M. Scrushy a/k/a Brandon Marin Scrushy by virtue of said Power of Attorney of all documents including but not limited to deed, closing statement, and all closing documents in connection with certain real property, said real property being located in Shelby Alabama and known as:

**LOT 10, BLOCK 8, ACCORDING TO THE SURVEY OF KERRY DOWNS, A SUBDIVISION OF INVERNESS, AS RECORDED IN MAP BOOK 5, PAGE 135 AND 136, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

This Affidavit is given as of the day and year indicated below and contemporaneously with the execution of said deed. As of said time, I, as the individual authorized to act for Brandon M. Scrushy a/k/a Brandon Marin Scrushy, as his Attorney in Fact, do state that, at the time of the exercise of said power, I do not have actual knowledge of the termination of the power by revocation or of the death, disability, incompetency or incapacity of Brandon M. Scrushy a/k/a Brandon Marin Scrushy.

I agree to indemnify and hold harmless, Moseley & Associates, P.C., Jefferson Title, Mississippi Valley Title Insurance and Old Republic National Title, First Educators Credit Union and Premier Living Mortgage, their successors and assigns from any loss or damage that may arise as a result of reliance by the aforementioned parties on the Power of Attorney described above.

Dated this 4<sup>th</sup> day of September, 2007

  
GERALD P. SCRUSHY

Sworn to and subscribed before me this the 4<sup>th</sup> day of September, 2007.

  
Notary Public

This instrument prepared by:  
Moseley & Associates, P.C.  
2871 Acton Road, Suite 101  
Birmingham, Alabama 35243

**CHRISTOPHER P. MOSELEY**  
**MY COMMISSION EXPIRES 10/07/09**