

STATE OF ALABAMA

§

SSN: 422-17-4878

SHELBY COUNTY

§

§

**DURABLE POWER OF ATTORNEY**

  
20071205000552550 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
12/05/2007 04:02:49PM FILED/CERT

**I. APPOINTMENT OF AGENT:**

KNOW ALL MEN BY THESE PRESENTS, that I, JAMES TOBIA GIBSON, as principal, residing in Shelby County, State of Alabama, FOR THE EXPRESS PURPOSES OF NEGOTIATING AND ENTERING INTO A CONTRACT FOR THE SALE OF MY PROPERTY, located at 4079 Forest Lakes Road, Sterrett, Alabama, 35147, AND OF REPRESENTING ME AT THE CLOSING FOR THE SALE OF SAID PROPERTY, do hereby constitute and appoint EDWYN ROSS JOHNSON III, my "Agent," my true and lawful attorney in fact, so that for the duration of and for the purposes of the negotiations, contracting, and closing for the conveyance of said property, he may act in my name, place, and stead, giving and granting to as shall deem advisable, the full, complete, and unlimited right, power, and authority to do, execute, and perform any act, deed, matter, of thing necessary to the negotiations, contracting, and closing for the conveyance of said property, whatsoever that my Agent, in his discretion, determines ought to be done, executed, or performed, of every nature and kind whatsoever, as fully and effectively as I could do if personally present and capacitated.

I grant the following specific powers with respect to my Agent:

**II. ADMINISTRATIVE POWERS:**

My Agent is hereby empowered:

- (1) To negotiate and enter into a contract for the sale of said property;
- (2) To represent me at the closing for the conveyance of said property, and to execute any and all instruments necessary to convey said property to the designated sellers for the agreed-upon sale price;
- (3) To take any other steps not specifically enumerated herein that are nevertheless necessary to the conveyance of said property under the laws of the State of Alabama and any pertinent political subdivisions.

**III. EXONERATION:**

I exonerate my Agent from all liability to any person or organization by reason of the good faith exercised of discretion in accordance with the authorizations contained in this instrument.

**IV. EXCLUSION:**

Notwithstanding any other provision of this instrument, my Agent is NOT empowered to act on my behalf regarding any other matter not related to the negotiations, contracting, and closing for the conveyance of said property. This instrument is EXPRESSLY limited in scope to these purposes and no other.

**V. RATIFICATION:**

I, JAMES TOBIA GIBSON, ratify and confirm all and whatsoever that my Agent, or substitutes, shall do or cause to be done by virtue of this power of attorney. I declare that any act or thing lawfully done hereunder by my Agent shall be binding upon me and my heirs, personal representatives, and assigns, whether the same shall have been

done before or after my death or other revocation of this instrument, unless and until actual knowledge thereof shall have been received by the person or organization acting in reliance hereon. This power of attorney may be filed for record in any public office. Any person or organization dealing with my Agent shall not be held liable for relying without inquiry upon the certification of my Agent that this power of attorney has not been revoked.

#### VI. CHARACTERIZATION:

Subject to the limitations and exclusions articulated herein, I intend this power of attorney to constitute a durable power of attorney under § 26-1-2, Code of Alabama (1975), as amended, and this power of attorney shall not be affected by my disability, incompetency, or incapacity. All acts done by my Agent, or her agent or substitute, shall have the same effect and inure to the benefit of and bind me, my estate, heirs, successors in interest, personal representatives, and assigns the same as I could do when not disabled, incompetent, or incapacitated.

#### VII. TERMINATION OF POWER:

The power of attorney granted shall terminate and be deemed revoked without further action on my part immediately upon the death of EDWYN ROSS JOHNSON III, and/or upon the death of the undersigned principal.

IN WITNESS WHEREOF, as Principal, I have signed this Durable Power of Attorney at Shelby County, State of Alabama, on this the 6th day of September, 2007, and I have directed that photographic copies of this power be made which shall have the same force and effect as an original.

#### WITNESSES:

Karen Smith  
Signature

Karen Smith  
Print Name

Rhonda Glass  
Signature

Rhonda Glass  
Print Name

James Tobia Glass  
Principal

(balance of page intentionally left blank)

20071205000552550 2/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
12/05/2007 04:02:49PM FILED/CERT

STATE OF ALABAMA

§  
§  
§

SSN: 422-17-4878

SHELBY COUNTY

I, the undersigned authority, a notary public for the State of Alabama at large, do hereby certify that JAMES TOBIA GIBSON, 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, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 16<sup>th</sup> day of Sept,  
2007.

Dawna D. Fughender  
NOTARY PUBLIC

**My Commission Expires:**

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 13, 2008  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

*(balance of page intentionally left blank)*

20071205000552550 3/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
12/05/2007 04:02:49PM FILED/CERT