



20080221000071960 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
02/21/2008 02:32:56PM FILED/CERT

**SPECIFIC DURABLE POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that I, Jerry W. Smith, have made, constituted and appointed, and by these presents do make, constitute and appoint Malinda Y. Smith my true and lawful attorney-in-fact to act in, manage, and conduct that purpose stated below for me and in my name, place and stead, and for my use and benefit, and as my act and deed, to do and to execute, or to concur with persons jointly interested with myself therein in the doing or executing of, all or any of the following acts, deeds, and executing of, all or any of the following acts, deeds, and things necessary to accomplish the following:

1. I specifically authorize and grant to my said attorney-in-fact full power and authority to do, take, and perform all and every act and everything whatsoever requisite, proper or necessary to be done in the refinance and mortgage of the property hereinafter described, as fully to all intents and purposes as I might or could do if personally present with full power to execute and sign my name to closing documents, a right to cancel and a mortgage with a principal balance of \$90,000.00 with an interest rate of 5.250% for a term of 30 years (360 months) on said property to Liberty Mortgage Corporation, its successors and/or assigns as their interest may appear and with full power of substitution or revocation, hereby ratifying and confirming all that my 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 as to the following described property:

See attached Exhibit A which is hereby incorporated by reference and made part hereof as though fully set out herein. The property is also known as 1033 9<sup>th</sup> Avenue SW, Alabaster, AL 35007.

**GIVING AND GRANTING** unto said attorney-in-fact full power and authority to do and perform all and every act, deed, matter, and thing whatsoever in and about my estate, property, and affairs as fully and effectually to all intents and purposes as I might or could do in my own proper person if personally present, and hereby ratifying all that my said attorney shall lawfully do or cause to be done by virtue of these presents. This instrument is to be construed and interpreted as a Durable and Specific Power of Attorney. This Durable Power of Attorney shall not be affected by the disability, incompetency or incapacity of the principal. Such rights, powers and authority shall remain in full force and effect thereafter until my death.

And I hereby declare that any act or thing lawfully done hereunder by my said

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attorney-in-fact shall be binding on myself, and my heirs, legal and personal representative, and assigns; whether the same shall have been done before or after my death, or other revocation of this instrument, unless and until reliable intelligence or notice thereof shall have been actually received by my attorney.

IN WITNESS WHEREOF, as principal, I have signed this Durable Power of Attorney on this the 13<sup>th</sup> day of February, 2008, and I have directed that photographic copies of this Power be made which shall have the same force and effect as an original.

Jerry W. Smith  
Jerry W. Smith

STATE OF Georgia  
Floyd COUNTY

I, the undersigned authority, a Notary Public in and for said location, hereby certify that Jerry W. Smith, whose name is signed to the foregoing Durable Power of Attorney, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Durable Power of Attorney, he executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 13<sup>th</sup> day of February 2008.

[Signature]  
Notary Public

Notary Public, Floyd County, Georgia  
My Commission Expires July 26, 2010



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Exhibit A

Lot 3, Block 5, according to the Survey of Bermuda Hills Third Sector, as recorded in Map Book 7, Page 15, in the Probate Office of SHELBY County, ALABAMA.



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HOLLIMAN & SHOCKLEY  
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