

DURABLE AND SPECIFIC POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, **Thomas Roy Downs**, of 3815 DOUBLE OAK LANE Birmingham (address) do hereby constitute and appoint **Nolan Downs**, my true and lawful attorney-in-fact to act for me and in my name, place and stead with respect to the **Purchase** pertaining thereto of the property located at **6725 Highway 49, Columbiana, AL 35051** and more particularly described as follows:

A parcel of land situated in the SE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows: Commence at the Southeast corner of the SE 1/4 of the SW 1/4 of said Section 12; thence run West along the South line of said 1/4-1/4 section, a distance of 675.24 feet to a point on the Westerly side of Ballenger Street; thence turn right 91° 45' Northerly along the said Westerly side of Ballenger Street, a distance of 29.75 feet to the point of beginning; thence turn left 91° 00' 13" along the North side of said Ballenger Street, a distance of 257.62 feet; thence turn right 93° 17' 27", a distance of 513.57 feet a point on the South right of way line of Shelby County Highway #49; thence turn right 123° 45' 31" to the chord of a curve to the left having a radius of 1016.85 feet, a central angle of 16° 34' 38" and an arc length of 294.20 feet; thence Southeasterly along said chord a distance of 293.17 feet to the Westerly side of said Ballenger Street; thence turn right 53° 57' 46" from chord, a distance of 336.14 feet to the point of beginning.

Situated in Shelby County, Alabama.

situated in SHELBY County, Alabama, for me and in my name, place and stead by full covenant and deed, to purchase the premises heretofore described for such price and to execute a deed and mortgage, grant, bargain, any of my right, title and interest in said premises or any part thereof, to execute any documents as deemed necessary for the purchase of said premises on such terms as he shall in his sole discretion elect; to execute, acknowledge and deliver in my name any deed, instrument of conveyance, execution of mortgage and any other documents that may be required for the transfer thereof into my interest therein; to attend the closing on my behalf and sign any and all documents necessary for the purchase of the real property from **Maurice E. Waits**.

The terms of the mortgage closed with the conveyance of the above-referenced property are as follows:

Lender: MortgageAmerica, Inc.
Type/Terms: FHA 30 Year Fixed Rate
Interest Rate: 6.00% Loan Amount: \$148,443.00
Loan No. 32499015248/ 011-5864871

GIVING AND GRANTING unto my said attorney-in-fact full power and authority to do and perform every act necessary, requisite, or proper to be done to complete, or if in opinion of my said attorney-in-fact, to delay and/or postpone, the Closing 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 said attorney-in-fact shall lawfully do or cause to be done by virtue hereof. My lawful attorney-in-fact as appointed herein is authorized to exercise the herein above granted powers as to any, all, or any part of the above described tract of real property.

I further authorize the said attorney-in-fact to perform all acts necessary for the negotiation of said purchase and mortgage, sale contract, leases and all other acts necessary for the execution of the within power.

This power of attorney shall not be affected by disability, incompetency, or incapacity of the principal, and shall be construed as a durable power of attorney under Ala. Code Section 26-1-2 (1975).

IN WITNESS WHEREOF, I, **Thomas Roy Downs**, have hereunto set my hand and seal this 25th day of April, 2008.

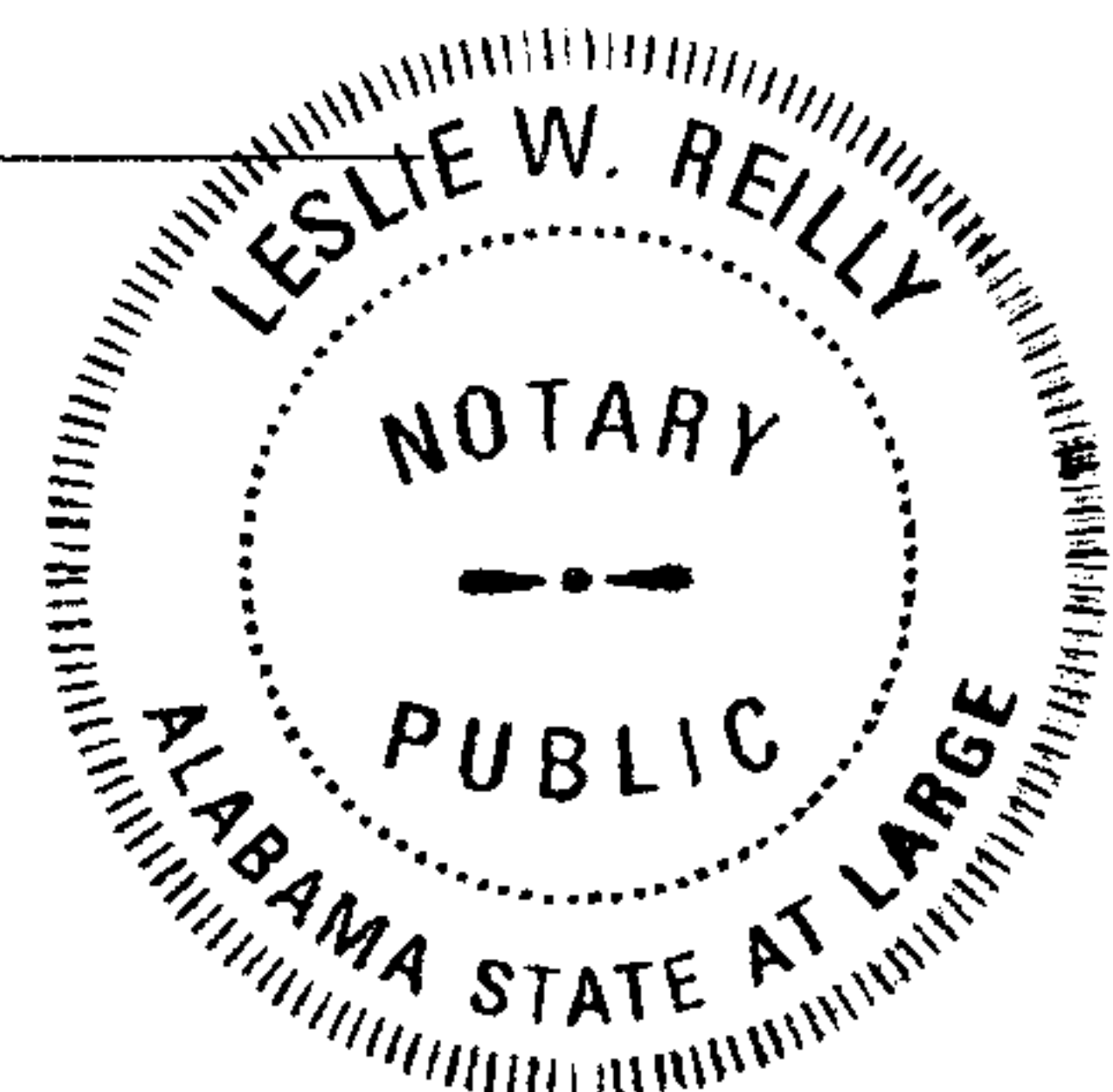
Thomas Roy Downs (Seal)
Thomas Roy Downs

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Thomas Roy Downs** whose name is signed to the foregoing Durable and Specific Power of Attorney and who is known to me, acknowledged before me on this day that, being fully informed of the contents of the foregoing instrument, she, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 25th day of April, 2008.

Leslie W. Reilly
Notary Public- Leslie W. Reilly
My commission expires: 2-4-09



This instrument prepared by:
V. Edward Freeman, Attorney at Law
118 North 18th Street
Bessemer, Alabama 35020

(SEAL)