

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

**AFFIDAVIT & INDEMNITY AGREEMENT  
REGARDING POWER OF ATTORNEY**

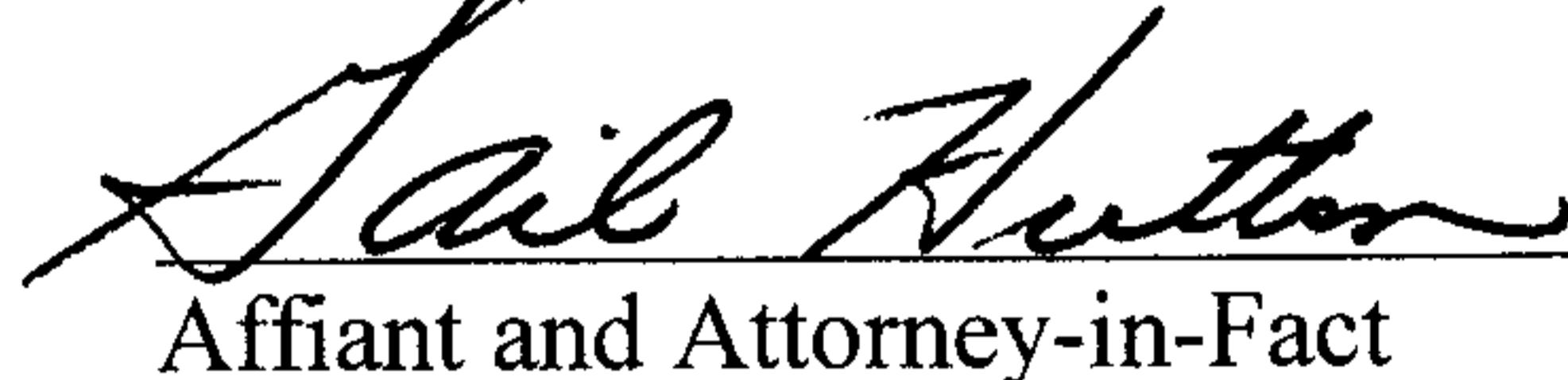
Before me, the undersigned Notary Public, in and for said County, in said State, personally appeared, Gail Hutton, who having been by me first duly sworn, deposed as follows:

1. My name is Gail Hutton. I am over the age of twenty-one (21) years, and have personal knowledge of the facts stated herein.
2. On, November 21st, 2008, William F. Johnson and Sibble Johnson appointed me as attorney-in-fact under Power of Attorney, a true and correct copy of which is attached hereto as "Exhibit A".
3. I have on this day exercised the powers granted in the above-referenced Power of Attorney by executing warranty deeds, mortgages and various other documents relating to the sale, or mortgage, of the residence located in Jefferson County, Alabama, and being more particularly described as follows, to-wit:

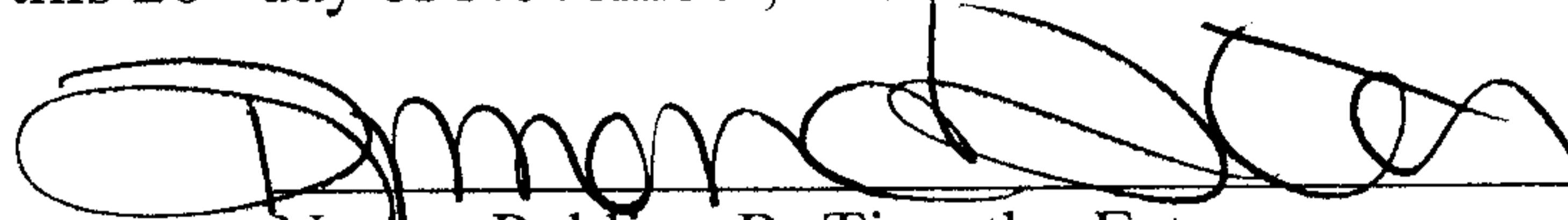
Unit 1803, in Horizon, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument 2001-40927, to which Declaration of Condominium a plan is attached as Exhibit "A" thereto, said Plan being filed for record in Map Book 28, Page 141, in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of the Horizon Condominium Association, Inc. is attached as Exhibit "D", together with an undivided interest in the Common Elements assigned to said Unit, as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium

4. At the time of the execution of the above-mentioned closing documents and exercise of the Power of Attorney I had no actual knowledge of the termination of the power by revocation or the death of William F. Johnson and Sibble Johnson. I know William F. Johnson and Sibble Johnson to be still living, competent and I have not been notified since the execution of the Power of Attorney that he has revoked said power. The affiant herein affirms, under penalty of perjury, that she is not using the power of attorney to self-deal in the Principals' property, or to otherwise benefit personally from this mortgage or sale of the Principals' real property.
5. I am making this affidavit pursuant to Code of Alabama 1975 Section 26-1-2(e).
6. I, Gail Hutton, agree to indemnify and hold harmless Magic City Title Insurance., the Title Company and Estes, Sanders & Williams, LLC, Closing Agent; from any loss, costs, damage and expense of every kind including attorney's fees, which it shall or may suffer resulting from a reliance on the Power of Attorney.

Witness my hand and seal this 26th day of November, 2008.

  
Gail Hutton  
Affiant and Attorney-in-Fact

Subscribed and sworn to before me this 26<sup>th</sup> day of November, 2008.

  
Notary Public - R. Timothy Estes  
My Commission expires: 07/11/11