

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

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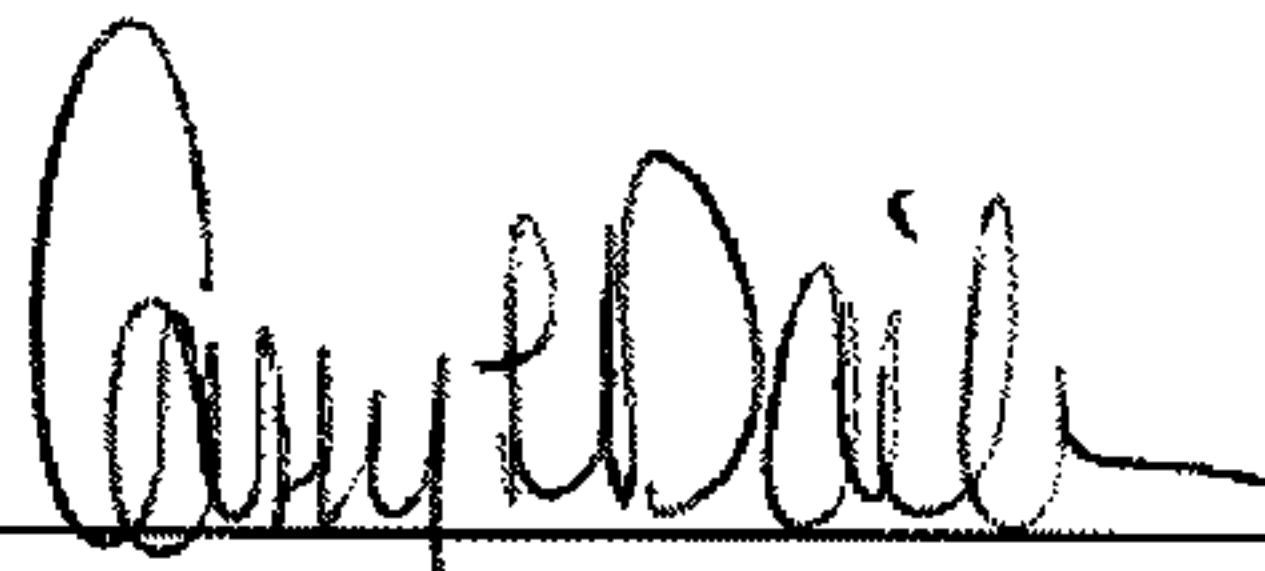
**AFFIDAVIT OF SCRIVENER**

COMES NOW Cassy L. Dailey, Attorney at Law (the “Scrivener”), and after first having been duly sworn, said Scrivener does hereby depose and say, as follows:

1. Scrivener has personal knowledge of the facts stated herein, is over the age of nineteen (19) years, and is competent to execute this Affidavit.
2. The above referenced Scrivener previously prepared a Deed from Adam P. VonBartheld and Jennifer H. VonBartheld to Michael G. Shults and Olivia C. Shults same of which was executed by the above referenced Grantor on October 20th, 2020. Said Deed was recorded in the Office of the Probate Judge, Shelby County, Alabama, at Instrument #20201027000488760.
3. At the time of the execution of the Deed, Jennifer H. VonBartheld signed as Power of Attorney for Adam P. VonBartheld.
4. At the time of recording, the power of attorney was erroneously omitted:

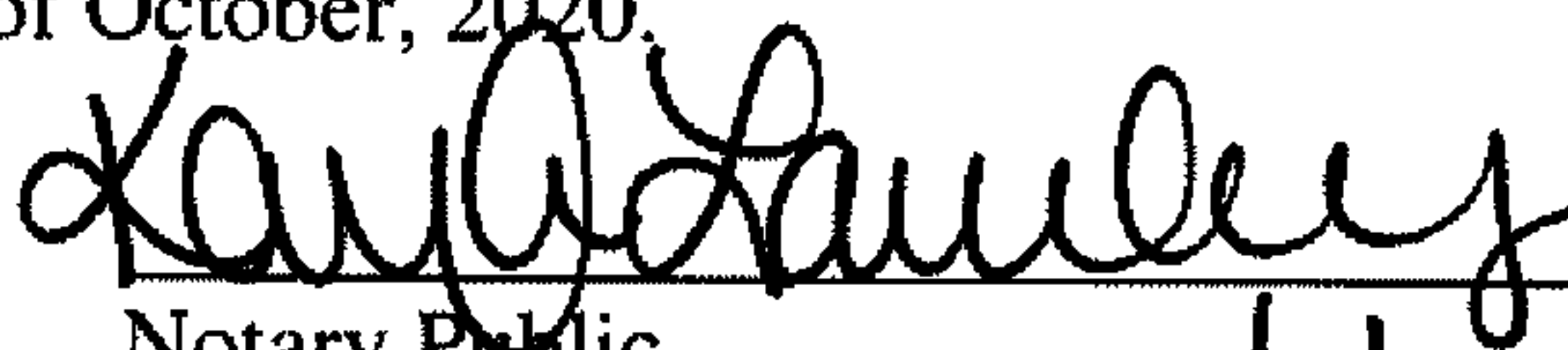
**See attached POA Affidavit and POA to be included with Deed**

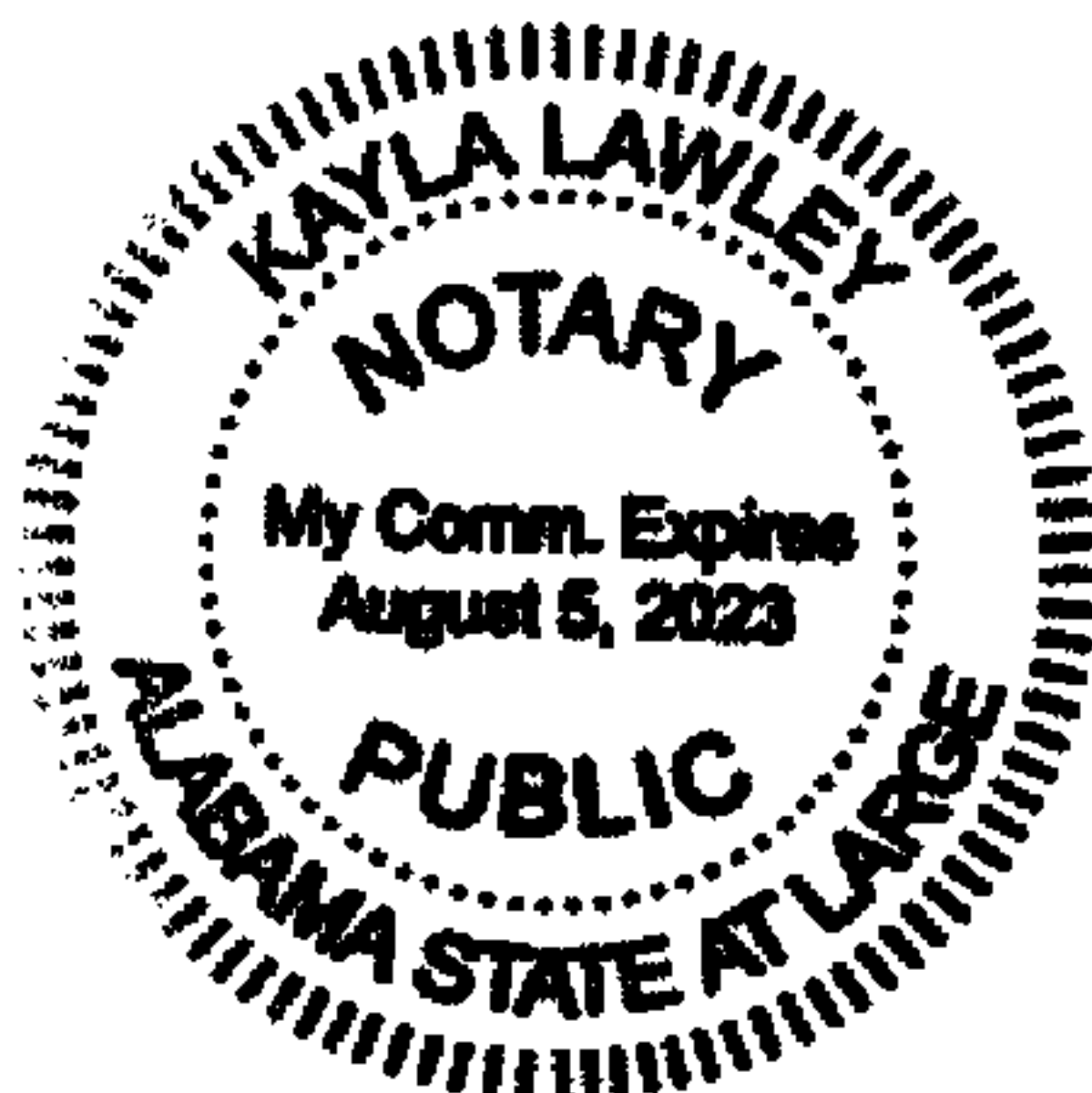
Consequently, this Affidavit is made and executed for the purpose of correcting the omitted POA and POA affidavit hereinabove designated.

  
Cassy L. Dailey, Scrivener

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

Sworn to and subscribed before me this 28th day of October, 2020.

  
Notary Public  
My Commission Expires: 8/5/23



**SPECIAL POWER OF ATTORNEY**

**PREAMBLE:** This is a military Power of Attorney prepared pursuant to Title 10, United States Code, Section 1044h, and executed by a person authorized to receive legal assistance from the military service. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney by the laws of a state, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effect as a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

**KNOW ALL PERSONS BY THESE PRESENTS:**

That I, Adam P. Vonbartheld, of the State of Alabama, a member of the United States Armed Forces, currently at Bagram Airfield, Afghanistan, pursuant to Military Orders, do hereby appoint Jennifer H. Vonbartheld, of Pelham, Alabama, my true and lawful attorney-in-fact to do the following in my name and in my behalf:

1. To bargain, sell, assign, and convey, using the standard of a reasonable seller under no compulsion to sell and engaging in an arms-length bargaining transaction, to any person of my attorney's choice, all my right, title and interest in 232 Oak Forest Dr. Pelham, Alabama 35124, and to convey by deed or general warranty with the customary covenants; to receive, on my behalf, payment of the purchase money for the real property described above in any manner that my attorney shall deem wise; to transmit these moneys to me, and to sign, seal, execute and deliver any and all deeds, contracts, or other documents necessary to carry out the foregoing.

Giving and granting individually unto said attorney full power and authority to do and perform all and any act, deed, matter and thing whatsoever in and about any of the specified particulars mentioned in the paragraph immediately above, as fully and effectually to all intents and purposes as I might and could do in my own person if personally present; and in addition thereto, I do hereby ratify and confirm each of the acts of my aforesaid attorney lawfully done pursuant to the authority herein above conferred.

**TO INDUCE ANY THIRD PARTY TO ACT HEREUNDER, I HEREBY AGREE THAT ANY THIRD PARTY RECEIVING A DULY EXECUTED COPY OR FACSIMILE OF THIS POWER OF ATTORNEY MAY ACT HEREUNDER, AND THAT REVOCATION OR TERMINATION HEREOF SHALL BE INEFFECTIVE AS TO SUCH THIRD PARTY UNLESS AND UNTIL ACTUAL NOTICE OR KNOWLEDGE OF SUCH REVOCATION OR TERMINATION SHALL HAVE BEEN RECEIVED BY SUCH THIRD PARTY. I, FOR MYSELF AND MY HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS ANY SUCH THIRD PARTY FROM AND AGAINST ANY AND ALL CLAIMS THAT MAY ARISE AGAINST SUCH THIRD PARTY BY REASON OF SUCH THIRD PARTY HAVING RELIED UPON THE PROVISIONS OF THIS POWER OF ATTORNEY.**

This Power of Attorney shall become effective when I sign and execute it below. Further, unless sooner revoked or terminated by me, this Power of Attorney shall become NULL and VOID on May 1, 2021.

I intend for this to be a **DURABLE Power of Attorney**. This Power of Attorney will continue to be effective if I become disabled, incapacitated, or incompetent; or when the United States Government determines that I am in a military status of "missing," "missing in action," or "prisoner of war." All acts done by my Attorney hereunder shall have the same effect and inure to the benefit of and bind myself and my heirs as if I were competent, and not disabled, incapacitated, or incompetent.

I shall be considered disabled or incapacitated for purposes of this power of attorney if a physician, based on that physician's examination, certifies in writing at a date subsequent to the date which this power of attorney is executed, that I am disabled from or incapable of exercising control over my person, property, personal affairs, or financial affairs. I authorize the physician who so certifies, to disclose my physical or mental condition to another person for purposes of this power of attorney. A third party who accepts this power of attorney, endorsed by proper physician certification of my disability or incapacity, is held harmless and fully protected from any action taken under this power of attorney.

Notwithstanding my inclusion of a specific expiration date herein, if on that specified expiration date I should be or have been properly certified, in writing, by a physician to be disabled from or incapable of exercising control over my person, property, personal affairs, or financial affairs, then this Power of Attorney shall remain valid and in full effect until sixty (60) days after I have recovered from such disability **UNLESS OTHERWISE REVOKED OR TERMINATED BY ME**. Furthermore, if on the above-specified expiration date, or during the sixty (60) day period preceding that specified expiration date, I should be or have been determined by the United States Government to be a military status of "missing," "missing in action," or "prisoner of war," then this Power of Attorney shall remain valid and in full effect until sixty (60) days after I have returned to the United States military control following termination of such status **UNLESS OTHERWISE REVOKED OR TERMINATED BY ME**.

**I HEREBY RATIFY ALL THAT MY ATTORNEY SHALL LAWFULLY DO OR CAUSE TO BE DONE BY THIS DOCUMENT.**

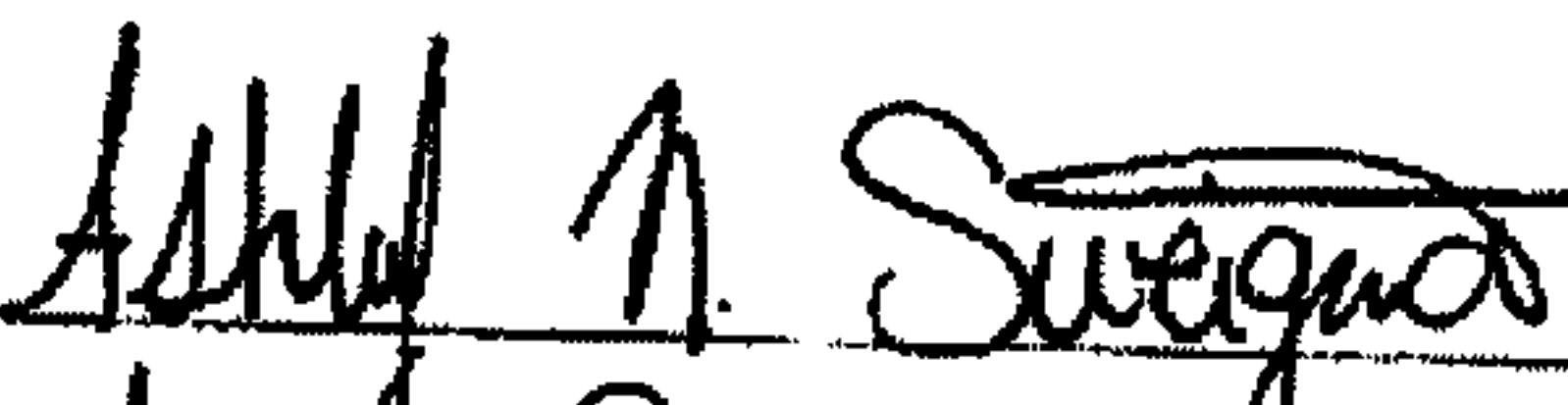
All business transacted hereunder for me or for my account shall be transacted in my name, and all endorsements and instruments executed by my attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my attorney and the designation "attorney-in-fact."

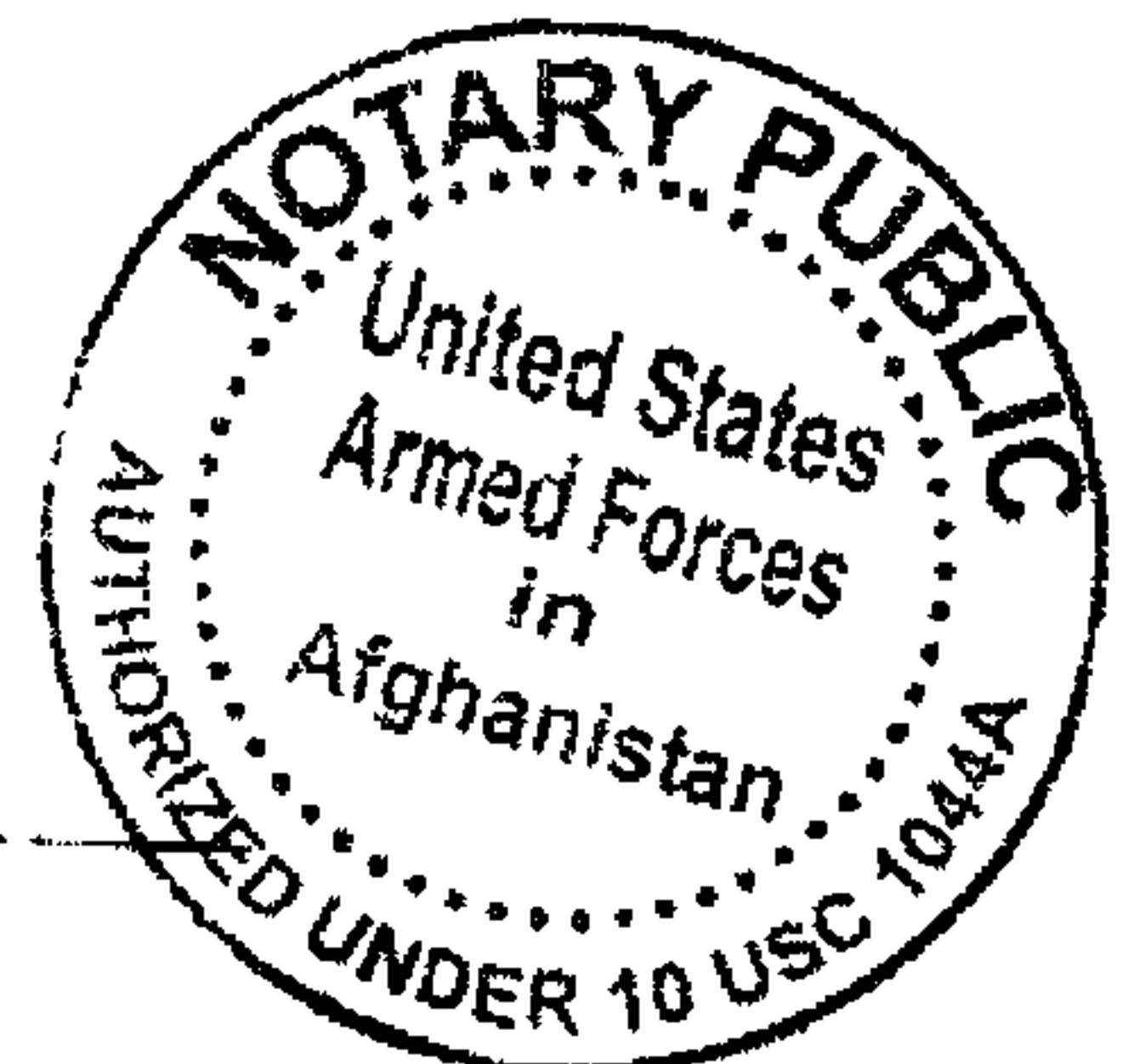
IN WITNESS WHEREOF, I sign, seal, declare, publish, make and constitute this as and for my Power of Attorney in the presence of the Notary Public witnessing it at my request this date, May 1, 2020.

  
Adam P. Vonbartheld

WITH THE ARMED FORCES OF THE UNITED STATES  
at Bagram Airfield, Afghanistan

Subscribed, sworn to and acknowledged before me by Adam P. Vonbartheld, who is known to me to be a member of the Armed Forces of the United States serving on Active Duty, on May 1, 2020. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044a, which also states that no seal is required on this acknowledgment.

(SIGN)   
(PRINT) Ashley Swigard  
RANK/ COMPONENT SGT/US Army OFFICIAL CAPACITY Paralegal





## POA AFFIDAVIT (Sale)

State of Alabama  
County of Shelby

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Jennifer H. VonBartheld who after being duly sworn, depose and say as follows:

1. My name is Jennifer H. VonBartheld. I am presently Attorney in Fact under Specific Durable Power of Attorney for Adam P. VonBartheld dated May 01, 2020.
2. I have signed documents in connection with a sale of property, and in particular a Warranty Deed and other related documents executed under my capacity as Agent under the Power of Attorney for the property described as:

Lot 35, according to the Survey of Oak Forest, as recorded in Map Book 25, Page 111, in the Probate Office of Shelby County, Alabama.

3. I have had contact with Adam P. VonBartheld prior to my signing the closing documents. I am aware that he/she/they is/are alive and well, and competent and has/have not rescinded his/her/their Power of Attorney, which is still in full force and effect. He/she/they is/are aware of my executing the closing documents and especially the Warranty Deed and other closing documents.

  
Jennifer H. VonBartheld



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
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\$33.00 CHARITY  
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