

## Durable Power of Attorney

**KNOW ALL MEN BY THESE PRESENTS**, that I, PATSY MCCAIN, of 453 Tocoa Road, Helena, Alabama, do hereby appoint:

(a.) Agent –GINGER BRACKNER of 107 Lake Davidson Lane, Helena, Alabama

I direct that my Agent, shall serve as directed herein and shall be my true and lawful attorney-in-fact, for me, and in my name, to do and perform the following things, to-wit:

1. To buy, receive, lease, accept or otherwise acquire, to sell, convey, mortgage, hypothecate, pledge, quitclaim or otherwise dispose of, or contract or agree for the acquisition, disposal or encumbrance of any real property whatsoever, and wheresoever situated, be it real, personal or mixed, or in any custody, interest, possession, or right therein or pertaining thereto, upon such terms as my attorney-in-fact shall think proper.
2. To take, hold, possess, invest, lease or let, or otherwise manage any or all of my real, personal or mixed property, or any interest therein or pertaining thereto; to eject, remove or relieve tenants or other persons from, and recover possession of such property by all lawful means; and to maintain, protect, preserve, insure, remove, store, transport, repair, rebuild, modify or improve the same or any part thereof.
3. With respect to any property, real, personal or mixed, to make, do, and transact all and every kind of business of whatever kind or nature, including the receipt, recovery, collection, payment, compromise, settlement and adjustment of all accounts, legacies, bequests, interests, dividends, annuities, income, rents, claims, demands, actions, causes of action, debts, taxes, and obligations, which may or hereafter be due, owing or payable by me or to me. Also, to collect money due from insurance companies, governmental agencies, trustees, or other debtors, and to give receipts for the same.
4. To make, endorse, guarantee, accept, receive, sign, seal, execute, acknowledge and deliver deeds, assignments, bills of sale, agreements, certificates, hypothecations, checks, notes, mortgages, bonds, vouchers, receipts, releases, and such other instruments in writing of whatever kind and nature, as may be necessary, convenient or proper in the premises including to disburse money withdrawn or paid on my behalf for the following purposes: to pay for care by hospitals, nursing homes, adult congregate living facilities, physicians, and all others deemed necessary; to pay for medical, hospital, life, automobile, homeowner's, property, and liability insurance presently owned or deemed necessary; to pay for all expenditures for the maintenance and protection of my assets; to pay for my debts and taxes; to pay for any customary donations to church and charities if my assets are sufficient to permit it.
5. To make deposits or investment in, or withdrawal from, any account, holding, or interest which I may now or hereafter have or be entitled to, in any banking, trust, or investment institution, including postal savings depository offices, credit unions, savings and loan associations, and similar institutions; to exercise any right, option or privilege pertaining thereto; and to open or establish accounts, holdings, or interest of whatever kind or nature with any institution, in my name, or in my said attorney-in-fact's name, or in both our names jointly, either with or without right of survivorship. Further, to endorse and deposit at any bank, savings and loan association, stock brokerage firm, credit union, or other institution or escrow account, checks payable to me and any cash.
6. To institute, prosecute, defend, compromise, settle, arbitrate, assign, release and dispose of legal, equitable or administrative hearings, actions, suits, attachments, arrests, liens, levies, distresses or other proceedings, or otherwise engage in litigation in connection with the premises. Also, to make claims for medical, governmental, employee insurance and other benefits.
7. To act as my attorney or proxy in respect to any stocks, shares, bonds, other securities, or other investments, rights or interests, and to margin any stocks or securities, I may now or hereafter hold; to buy, sell, assign, transfer, convey, deliver, mortgage, lease, exchange, and trade any or all of my shares of common or preferred stocks, bonds debentures, real property; to invest funds in money market accounts or certificates of deposit at any bank, savings and loan association, brokerage firm, or U.S. Series E (EE) or H (HH) Bonds; and to terminate instructions issued to mutual funds, stock brokerage firms, agents, trustees, and other regarding investing income, dividends, capital gains, disbursements to me, and to issue new instructions as necessary to satisfy and make secure my financial needs.

8. To engage and dismiss agents, counsels, attorneys, accountants, and employees, and to appoint and remove at pleasure any substitute for, or agent of, my said attorney-in-fact, in respect to all or any of the matters or things herein mentioned and upon such terms as my attorney-in-fact shall think fit in connection with the premises including the power to select and employ physicians, nurses, nursing homes, adult congregate living facilities, hospitals, and others as necessary or terminate their employment; further, to sign any and all written instructions and consents or releases required or recommended by physicians, hospitals, nursing homes, adult congregate living facilities, and other health care facilities; further, the power to review medical records and the power to consent, or refuse, any medical treatment so long as such consent or refusal does not conflict or interfere with any Living Will that may or might be in existence. Also, any doctor or hospital is absolved of any liability for any health care treatment, or non-treatment, implemented under this Durable Power of Attorney.
9. To prepare, execute and file income (Form: 1040 & 1041), ad valorem, gift (Form: 709), estate (Form: 706) and other tax returns, and other governmental reports, declarations, applications, requests, apply for exemptions, refunds and related documents for any tax years or periods extending from the date of this document through the final taxable year or period following the death of the grantor of this power. Grantor's name and address is as noted at the beginning of this document. My attorney-in-fact's name and address is as noted at the beginning of this document. Further, all tax and tax related correspondence and/or notices shall be forwarded to my attorney-in-fact.
10. To take possession, and order the removal and shipment, of any of my property to or from any residence, warehouse, depot, dock, or other place of storage or safekeeping, governmental or private; and to execute and deliver any release, voucher, receipt, shipping ticket, certificate, or other instrument necessary or convenient for such purpose.
11. To act as my attorney-in-fact or proxy in respect to any policy of insurance on my life, and in that capacity to exercise any right, privilege or option which I may have thereunder or pertaining thereto, excluding, however, the right to change the beneficiary, the right to change the method of payment of the insurance proceeds, and the right to make a cash surrender of the policy for loan, conversion or other purposes as provided therein.
12. To have the following miscellaneous powers: to arrange for the care and disposition of any pets; to change my mailing address; to issue orders stopping payment of checks drawn on any account that I may have with any financial institution; to exercise protective custody of all my assets; to deliver, in the case I am moved to a different location, various items of my personal property into the custody of those chosen; and to enter my safe deposit boxes, remove their contents, place documents, jewelry or other assets therein as well as to renew or terminate any leases of safe deposit boxes I presently have or may subsequently acquire.
13. If my spouse has been appointed my attorney-in-fact hereunder and subsequent to the execution of this instrument my spouse and I are legally separated or divorced, or in the event that such action is pending, such legal separation or divorce shall automatically remove my spouse as my attorney-in-fact.
14. This instrument may be amended or revoked by me at any time by my execution of a written instrument of revocation, amendment, or removal delivered to my attorney-in-fact. If this instrument has been recorded in the public records, then the instrument of revocation, amendment, or removal shall be filed or recorded in the same public records.

GIVING AND GRANTING unto my said attorney-in-fact full power and authority to do and perform all and every act or deed, matter and thing whatsoever in and about my estate, property and affairs set forth above, as fully and effectually to all intents and purposes as I might or could do in my own proper person if personally present, the above especially enumerated powers being in aid and exemplification of the full, complete and general power herein granted, and not in limitation or definition thereof; and hereby ratifying all that my said attorney-in-fact shall lawfully do or cause to be done by virtue of these presents.

And I hereby declare that any act or thing lawfully done hereunder by my said attorney-in-fact shall be binding on myself, and my heirs, legal and personal representatives, and assigns; whether the same shall have been done before or after my death, or other revocation in this instrument. This power of attorney shall be recordable, and may be filed for record in any public office. Further, this power of attorney shall be construed under and by the laws as they exist in the State of Alabama, United States of America.

THIS DURABLE POWER OF ATTORNEY SHALL NOT BE AFFECTED BY DISABILITY OF THE PRINCIPAL EXCEPT AS PROVIDED BY STATUTE.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14 day of July, 2005.

Signed and sealed in our presence:

Witness:

Patsy A. McCain  
PATSY MCCAIN

Witness:

STATE OF ALABAMA  
COUNTY OF \_\_\_\_\_

I, THE UNDERSIGNED, do hereby certify that I am a duly commissioned, qualified and authorized Notary Public in and for the State of Alabama, and that PATSY MCCAIN, Grantor in the foregoing Power of Attorney, dated this date, and hereto annexed, who is personally well known to me as the person who executed the foregoing Power of Attorney, appeared before me this day, and being first duly sworn, executed said instrument after the contents hereof had been read and duly explained to her was her free and voluntary act and deed for the uses and purposes therein set forth, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 14<sup>th</sup> day of July, 2005.

Kelly B Mullin  
NOTARY PUBLIC, State of Alabama  
My Commission expires: 6-28-2009