

## GENERAL POWER OF ATTORNEY

I, **PATRICIA C. BIRD** (herein "the Principal"), of Shelby County and State of Alabama, do hereby make this General Power of Attorney. It is my intent that this document be effective as, and construed as, a general power of attorney pursuant to the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, Code of Alabama 1975.

**1. Appointment of Attorney in Fact.** I nominate and appoint my son, **SIDNEY MAURICE BIRD, III** (herein "my son"), my Attorney in Fact to have and exercise the powers provided by this document.

**2. Purpose of this Power of Attorney.** I intend this to be a general power of attorney and I shall specify certain acts that my Attorney in Fact is authorized to do in my behalf, but this is not intended to, nor to be construed as, to limit or restrict in any way any power granted an Attorney in Fact under the Alabama Uniform Power of Attorney Act but not enumerated in this document. I intend that my Attorney in Fact shall have the general power to exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power, or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business, property, real or personal, tangible or intangible, or matter whatsoever.

**3. To Collect, Enforce, and Manage Assets and Claims.** To request, ask, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interest, and retirement benefits, insurance benefits and proceeds, securities, any and all documents of title, claims, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by, or due, owing, payable or belonging to, me or in which I have or may hereafter acquire an interest, to have, use, and take all lawful means and equitable and legal remedies, procedures, and writs in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for recovery thereof, and to adjust, sell, compromise, and agree for the same, and to make execute and deliver for me, on my behalf, and in my name, all endorsements, acquittances, releases, receipts, or other sufficient discharges for the same.

**4. To Deal With Personal Property.** To lease, gift, purchase, sell, exchange, and acquire, and to agree, bargain, and contract for the lease, purchase, sale, exchange, and acquisition of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as my Attorney in Fact shall deem proper.

**5. To Deal With Real Estate.** To maintain, repair, improve, manage, insure, rent, lease, sell, convey, option, subject to liens, mortgage, subject to deeds of trust, dedicate to public use, and hypothecate, and in any way or manner deal with all or any part of any real property whatsoever, tangible or intangible, or any interest therein, that I now own or may hereafter acquire, for me, in my behalf, and in my name and under such terms and conditions, and under

such covenants, as my Attorney in Fact shall deem proper. To sell and convey any and all land now or hereafter owned by me, and whether or not my homestead under state law.

**6. To Establish, Fund, Amend, and Revoke Trusts.** To establish trusts (including trusts of which my Attorney in Fact is a beneficiary) on my behalf, on terms which my Attorney in Fact shall to his or her belief understand to be my wishes for my estate, and to amend and revoke trusts which I may have heretofore executed. The power to amend trusts shall include, but shall not be limited to, the power to change the situs of trusts. My Attorney in Fact may establish, on my behalf, trusts of which my Attorney in Fact is a beneficiary. My Attorney in Fact may exercise appointment and removal powers under any trusts that I have established.

**7. To Execute Disclaimers.** To execute disclaimers on my behalf under Section 2518 of the Internal Revenue Code, under Sections 43-8-290, et seq., Ala. Code 1975 (as amended), or any comparable section of any federal or state statute, notwithstanding that the exercise of such disclaimer may benefit my Attorney in Fact.

**8. To Deal With Securities And Brokerage Accounts.** With respect to my brokerage accounts, to effect purchases and sales (including short sales), to subscribe for and to trade in stocks, bonds, options, rights, and warrants or other securities, domestic or foreign, whether dollar or non-dollar denominated, or limited partnership interests or investments and trust units, whether or not in negotiable form, issued or unissued, foreign exchange, commodities, and contracts relating to same (including commodity futures) on margin or otherwise for my account and risk; to deliver to my broker securities for my account and to instruct my broker to deliver securities from my accounts to my Attorney in Fact or to others, and in such name and form, including his own, as he or she may direct; to instruct my broker to make payment of moneys from my accounts with my broker, and to receive and direct payment therefrom payable to him or her or others; to sell, assign, endorse and transfer any stocks, bonds, options, rights and warrants or other securities of any nature, at any time standing in my name and to execute any documents necessary to effectuate the foregoing; to receive statements of transactions made for my account(s); to approve and confirm the same, to receive any and all notices, calls for margin, or other demands with reference to my accounts(s); and to make any and all agreements with my broker with reference thereto for me and in my behalf.

My Attorney in Fact may vote in person, or by general or limited proxy, with or without power of substitution, with respect to any stock or other securities I may own.

I authorize my Attorney in Fact to execute on my behalf any powers of attorney in whatever form that may be required by any stockbroker with whom I have deposited any securities.

**9. To Operate Any Business.** To operate any business which I may own, whether a sole proprietorship, partnership, or corporation; to hire and fire any employees or managers; to change the legal form of any business; to sell, borrow against, or liquidate any business; to delegate management responsibilities to any person; to execute an election under Subchapter S or any other provision of the Internal Revenue Code.

**10. To Engage in Estate Planning.** To change my estate plan as my Attorney in Fact shall deem appropriate, or to establish an estate plan if needed, including making and changing beneficiary designations. My Attorney in Fact may consult with such accountants and attorneys as deemed necessary, and shall have the power to execute trusts and to make gifts, as further set forth below.

**11. To Make Gifts.** To make gifts of my assets to such persons and institutions as shall appear to my Attorney in Fact to be consistent with my prior pattern of giving, or as shall be appropriate to reduce or eliminate Federal or State estate or inheritance taxes on my estate, or to reduce the exposure of my estate to nursing home expenses. This power shall not authorize my Attorney in Fact to make gifts to himself or herself. In making gifts hereunder, my Attorney in Fact shall be mindful of transfer tax considerations, including, without limiting the generality of the foregoing, the transfer tax exclusions available under Internal Revenue Code Section 2503(b) and Section 2503(e); provided that my Attorney in Fact may make gifts beyond the exclusion amount if deemed advisable. If my Attorney in Fact makes gifts to minors, such gifts may be made directly to the minor, to a parent, guardian or next friend of the minor, or under the Uniform Gifts to Minors Act or the Uniform Transfers To Minors Act.

**12. To Make Contracts and Give Releases.** To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, security agreements, bills of sale, leases, mortgages, assignments, fire and casualty insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

**13. To Compensate Himself or Herself.** My Attorney in Fact may compensate himself or herself from my funds for services rendered, and expenses incurred, in acting under this instrument. Such expenses shall include, but shall not be limited to, the costs of retaining counsel to advise my Attorney in Fact in the conduct of his or her duties, and an accountant to assist in maintaining records. If my Attorney in Fact is an attorney at law, he or she may compensate himself or herself at the rate customarily charged to clients for similar services.

**14. To Deal With Bank Accounts.** To deal with any bank accounts or certificates of deposit which I may own, to withdraw funds from such accounts, to pledge such accounts, and generally to exercise control over such accounts, and to establish new accounts. To execute any form, including a power of attorney, required by any bank or other financial institution in order to enable my Attorney in Fact to execute the powers granted under this instrument.

**15. To Deal With Life Insurance Policies.** To deal with life insurance policies and other products issued by life insurance companies, including but not limited to, National Service Life Insurance, and annuity contracts, to change the beneficiaries, to assign the policies, to surrender and borrow against the policies and to exercise all of the incidents of ownership in any life insurance policies or annuity contracts I own.



**16. To Deal With The Social Security Administration and Other Agencies.** To make application on my behalf for benefits administered by the Social Security Administration or any other federal, state, or local agency and to receive Social Security and other benefits on my behalf.

**17. To Arrange For My Medical Care.** To have access to my medical records, to make decisions as to acceptance or rejection of medical treatment, to engage and dismiss physicians and other health care personnel, to choose where I shall or shall not receive medical treatment, to arrange for my admission to and discharge from hospitals, other places of treatment, and any other facility or residence (even if against medical advice) to obtain compliance with the decisions of my Agent, including, but not limited to, the cessation of life support, to grant consent for or refuse consent to any medical procedure, to sign any consent or release, to move me in or out of any state, country, other political subdivision, residence, hospital, assisted living facility, nursing home, or other place or facility, and to do anything in connection with my health care which I could do personally. If I shall have executed a valid Health Care Proxy or Living Will, this paragraph shall be inapplicable, but only to the extent it is contrary to any such Health Care Proxy or Living Will. In addition to the other powers granted by this document, my Agent shall have the power and authority to serve as my personal representative for all purposes of the Health Insurance Portability and Accountability Act of 1996, (HIPAA), and the regulations thereunder, as the same may be amended from time to time.

**18. To Deal With Tax Matters.** To represent me in all tax matters; to prepare, sign, and file federal, state, and local income tax, transfer tax, and other tax returns of all kinds, including joint returns, claims for refunds, requests for extensions of time, petitions to the Tax Court or other courts regarding tax matters, and any and all other tax-related documents, including, but not limited to, consents and agreements under Section 2032A of the Internal Revenue Code or any successor section thereto and consents to split gifts, closing agreements and Form 2848, Form 8821, and any other power of attorney or form required by the Internal Revenue Service, any state or any local taxing authority with respect to any tax year; to pay taxes due, collect and make such disposition of refunds as my Attorney in Fact shall deem appropriate, post bonds, receive confidential information and contest deficiencies determined by the Internal Revenue Service, any state, or any local taxing authority; to exercise any elections I may have under federal, state or local tax law; and generally to represent me in all tax matters and proceedings of all kinds and for all periods before all officers of the Internal Revenue Service and state and local tax authorities; to engage, compensate and discharge attorneys, accountants and other tax and financial advisers and consultants to represent and/or assist me in connection with any and all tax matters involving or in any way related to me or any property in which I have or may have any interest or responsibility.

**19. To Have Access To Safe Deposit Boxes.** To enter any safe deposit box which I may have leased; to add property to the box or take property from the box, and to surrender possession of the box and terminate the lease.

**20. To Deal With Pension Plans and Retirement Accounts.** To deal with pension plans and retirement accounts of all types, to make and change beneficiary designations and payment options, and to surrender any retirement accounts for cash.

**21. To Receive Mail.** To enter any mail box which I shall have hired, whether at a United States Post Office or elsewhere, and to surrender the box and terminate the lease at his or her discretion; to sign for any certified or registered mail directed to me, and to execute any order required to forward mail to any location selected by my Attorney in Fact.

**22. To Change, Fix, or Establish My Domicile.** To do all things necessary to change, fix, or establish my legal domicile, to establish a new or different residence or legal domicile for me, from time to time and at any time, within or without this state, and within or without the United States, for such purposes as my Attorney in Fact shall deem appropriate, including, but not limited to, any purpose for which this instrument was created.

**23. To Effect My Resignation As a Member, Officer or Fiduciary.** To effect my resignation as a member or officer of any organization or entity, or as a trustee, executor, personal representative, or other fiduciary or an estate or trust, however denominated.

**24. To Serve As My Conservator or Guardian.** If it is necessary at any time for a court to appoint a conservator for my estate and/or a guardian of my person or estate, I nominate my Attorney in Fact or if my Attorney in Fact is not available to serve, I nominate my successor Attorneys in Fact, in the order in which their names appear, to serve as such conservator and/or guardian.

**25. Power to Remain In Effect Upon Disability, Incompetency, or Incapacity.** It is my intent that this instrument be effective as, and construed as, a General Durable Power of Attorney pursuant to the Alabama Uniform Power of Attorney Act. This power of attorney shall not be affected by my disability, incompetency, or incapacity. It is my intent that the authority conferred hereunder shall be exercisable notwithstanding my subsequent disability, incompetency or incapacity.

**26. Power Not Affected By Time.** This power of attorney shall not expire or become stale upon the passage of time but is intended to continue in force until revoked by me. If a guardian or conservator should be appointed with authority to deal with my property, the power granted to my Attorney in Fact under this instrument shall terminate.

If, without actual knowledge of my death or any other circumstance which would revoke this power of attorney, my Attorney in Fact enters into a transaction on my behalf which would have been binding upon me except for my death or other circumstance but before my Attorney in Fact has actual notice of such death or any other circumstance, then I or my estate will carry out the terms of the transaction in the same manner as if this power of attorney had not been terminated.

**27. Use Of Photocopy.** I hereby authorize the use of a photocopy of this power of Attorney, in lieu of the original copy executed by me, for the purpose of effectuating the terms and provisions hereof.

**28. State Law To Govern.** This power of attorney is to be construed according to the laws of the State of Alabama.

**29. Other Powers of Attorney Revoked.** In executing this power of attorney, I hereby revoke all other powers of attorney that I have executed earlier, except such as have to do with signature powers over savings or checking accounts.

**30. Duties of Attorney in Fact to Principal.** My Attorney in Fact shall have the following duties to me:

- (a) To act in all matters as a fiduciary, solely for my benefit and best interest;
- (b) To not act except as authorized;
- (c) To not co-mingle my resources with his or her personal resources;
- (d) To keep and render an accounting to me or to any member of my immediate family;
- (e) By accepting these duties, my Attorney in Fact understands that he or she is acting as a fiduciary and as such has a responsibility to act prudently in my best interest, to keep careful records and accounts of his or her acts and doings; and
- (f) If a conservator or guardian is appointed for my property or my person, my Attorney in Fact shall also account to such conservator or guardian.

**31. Power to Execute Further Powers of Attorney; Power to Delegate Powers.** My Attorney in Fact shall have the power to execute further powers of attorney appointing my Attorney in Fact or some other person. My Attorney in Fact shall have the full and unqualified authority and power to delegate any or all of the foregoing powers to any person or persons whom my Attorney in Fact shall select.

**32. Appointment of Successor Attorney in Fact.** If my son shall be unable or unwilling to serve as my Attorney in Fact under this instrument, then I appoint my daughter, **ANNMARIE BIRD REVEL** to serve as such successor Attorney in Fact. Any person to whom this power of attorney is presented may rely upon a certificate by any successor Attorney in Fact that the initial Attorney in Fact is unable or unwilling to serve as my Attorney in Fact.

**33. Third Party Relying Upon Power of Attorney.** Any person, firm, or corporation shall be entirely protected in relying upon this power of attorney or any action taken by my Attorney in Fact pursuant to this power of attorney, and I, or my estate in the event of my death, shall hold harmless any such person, firm, or corporation so relying upon this power of attorney for any action taken by my Attorney in Fact pursuant to this power of attorney. I authorize my Attorney in Fact to bring suit against any person, firm, or corporation that refuses to accept this power of attorney.

**34. Indemnification of my Attorney in Fact.** If my Attorney in Fact or any successor shall be subject to any legal claim arising out of anything done or not done in accordance with this power of attorney, my Attorney in Fact shall be entitled to indemnify himself or herself from my assets, except in the event of his or her gross negligence or criminal misconduct. My Attorney in Fact shall not be held liable to any person for any action taken or not taken under this instrument, except in the event of his or her gross negligence or criminal misconduct. If my Attorney in Fact shall take any action under this power of attorney after the power of attorney has been terminated, but without knowledge of such termination, my Attorney in Fact shall not be liable to me or my estate, and shall be indemnified from liability by me or my estate.



**35. Limitations.** Any authority granted to my Attorney in Fact in this instrument shall be limited so as to prevent the General Power of Attorney from causing my Attorney in Fact to be taxed on my income or from causing my assets to be subject to a general power of appointment by my Attorney in Fact as that term is defined in Section 2041 of the Internal Revenue Code of 1986, as amended, or any successor provision.

**36. Execution of Documents.** My Attorney in Fact may execute documents on my behalf as follows: Print Principal's name: Patricia C. Bird, (sign the Principal's name \_\_\_\_\_) by: Attorney in Fact (signature \_\_\_\_\_) his or her Attorney in Fact.

**37. Grant of Power of Attorney is Revocable.** I reserve the right at any time to revoke this power of attorney. If I revoke this power of attorney, I may record notice of such revocation in the Office of the Judge of Probate in the county of my then residence.

**IN WITNESS WHEREOF**, I have executed this General Power of Attorney, this 25 day of January 2019, and I have directed that photographic copies of this power shall have the same force and effect as an original.

Patricia C Bird  
PATRICIA C. BIRD

**Witnesses**

I am witnessing this document because I believe the above Principal to be of sound mind. I did not sign the Principal's signature, and I sign it in the presence of the Principal and subsequent to the Principal. I am not related to the Principal by blood, adoption, or marriage and not entitled to any part of her estate. I am at least 19 years of age.

Name of first witness (print name): Ashley McCollough

Signature: Ashley McCollough

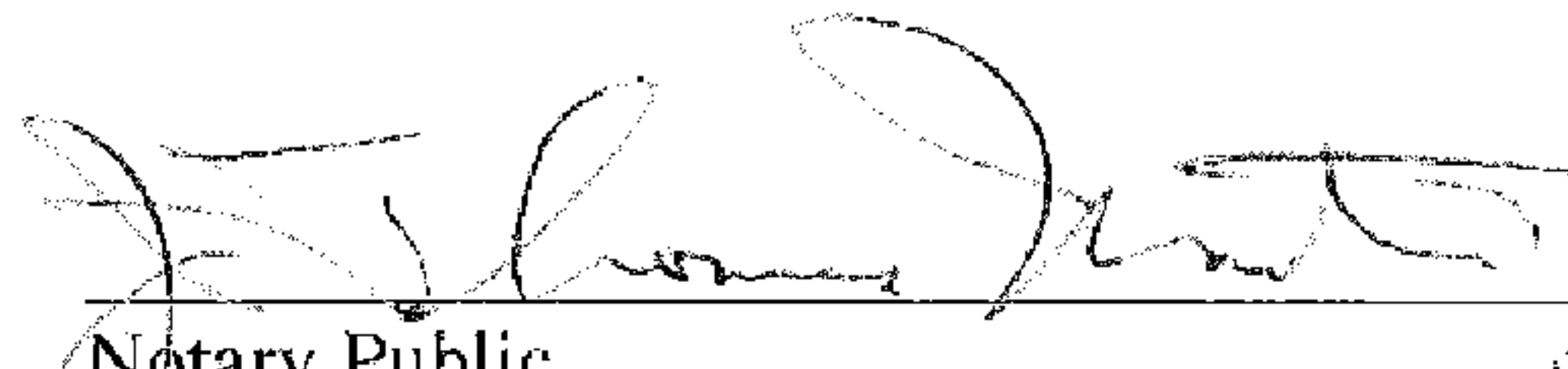
Name of second witness (print name): Amanda Tabor

Signature: Amanda Tabor

STATE OF ALABAMA  
COUNTY OF SHELBY

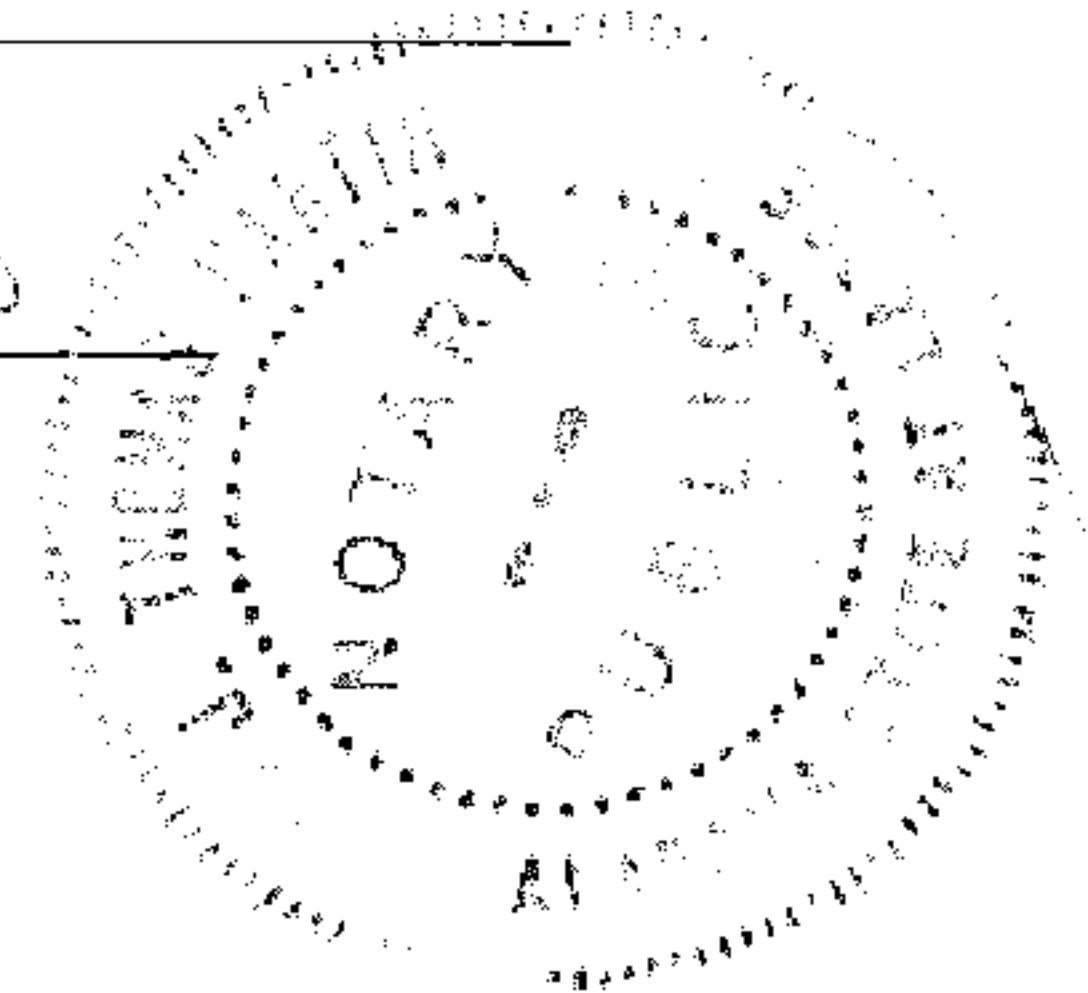
I, the undersigned Notary Public in and for the State of Alabama at large, hereby certify that **PATRICIA C. BIRD**, the Principal, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument she executed the same voluntarily, and subscribed and sworn to before me on this day by Ashley Mcleostough and Amenda Taber witnesses.

Given under my hand and official seal on this the 25<sup>th</sup> day of January 2019.



Notary Public

My Commission expires: 1/3/20



This document prepared by:

J. Thomas Martin  
Attorney at Law  
P.O. Box 36474  
Birmingham, AL 35236  
205-733-1202



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
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Allie S. Beyl