

DURABLE POWER OF ATTORNEY

STATE OF ALABAMA

JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS, which are intended to constitute a Durable Power of Attorney, that I, **LIZZIE MAE KIRKLAND**, the undersigned, a resident of Shelby County, Alabama, do hereby make, constitute and appoint my daughter, **MARIE HAMMETT**, who is a resident of Jefferson County, Alabama, my true lawful attorney to act in, manage, and conduct all of my personal estate and all of my personal and business affairs, and for that purpose for me and in my name, place and stead, and for my use and benefit and as my act and deed, to do and execute, or to concur with persons jointly interested with myself therein in the doing or executing of, all or any of the following acts, deeds and things, that is to say:

1. To buy, receive, lease, accept, or otherwise acquire; to sell, convey, mortgage, hypothecate, pledge, quit claim, otherwise encumber or dispose of encumbrance of any of my property, whatsoever and whatsoever situated, be it real, personal or mixed, or any custody, possession, interest, or right therein or pertaining thereto, upon such terms as my said attorney shall think proper;

2. To enter into sales contracts, execute deeds, mortgage, lease, and to do and perform any act necessary to sell, lease

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mortgage, rent or handle and totally take care of any other real estate owned by me at this time or any real estate to which I may later have an interest in.

3. 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;

4. To make, do, and transact all and every kind of personal business, of whatsoever kind or nature, including the receipt, recovery, collection, payment, compromise, settlement and adjustment of all accounts, legacies, bequests, interests, dividends, annuities, claims, demands, debts, or pertaining thereto;

5. To make, endorse, accept, receive, sign, seal, execute, acknowledge, and deliver certificates, hypothecations, checks, vouchers, receipts, releases and such other instruments in writing of whatever kind and nature, as may be necessary, convenient, or proper in the premises;

6. To make deposits or investments in, or withdrawals from, any account, holding, or interest which I may now or hereafter have, or be entitled to, in any banking trust, or investment institution, credit union, savings and loan associations, and similar institutions; to exercise any right, option or privilege

pertaining thereto; and to open or establish accounts, holdings, or interests of whatever kind or nature, with any such institutions, in my name or in any name, or in my said attorney's name or in all our names, jointly, either with or without right of survivorship;

7. To institute, prosecute, defend, compromise, arbitrate, and dispose of legal, equitable, or administrative hearings, actions, suits, attachments, arrests, distresses or other proceedings, or otherwise engage in litigation in connection with the premises;

8. To act as my attorney or proxy in respect to any stocks, shares, bonds, or other investments, rights or interests, I may now or hereafter hold;

9. To engage and dismiss agents, counsel, and employees, and to appoint and remove at pleasure any substitute for, or agent of, in respect to all or any of the matters or things herein mentioned, and upon such terms as my attorney shall think fit;

10. To prepare, execute, and file income and other tax returns and other governmental reports, declaration, applications, requests and documents;

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;

12. To be able to consent to any operations wherein periods of emergency arise, or otherwise, and which the person for whom this Power of Attorney is made is unable to consent thereto, either

through mental or physical deficiency.

13. To be able to list for sale, enter into a sales contract, sign deeds or any other transactions pertaining to the sale of any real property. that I own or have any interest in.

14. If it becomes necessary that I enter a nursing home, I hereby empower my Attorney herein appointed to handle any and all matters, whether legal or otherwise that may be necessary to my entering, staying and/or discharge from said nursing home.

GIVING AND GRANTING unto said Attorney full power and authority to do and perform all and every act, deed, matter and thing whatsoever in and about my personal estate and personal and business affairs 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 specifically 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 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 the foregoing attorney-in-fact shall be binding on me, and my heirs, legal and personal representatives, and assigns; whether the same shall have been done before or after my death, or other revocation of this instrument, unless and until reliable intelligence or notice thereof shall have been received by my said attorney.

The rights, powers and authority of my said attorney-in-fact

herein granted shall commence and be in full force and effect on the 8th day of September, 1995. The authority conferred herein shall not be affected by disability, incompetency, or incapacity of the said principal, **LIZZIE MAE KIRKLAND**, and such rights, powers and authority shall remain in full force and effect until the death of the principals, or until disability, incompetency, or incapacity is otherwise terminated.

Any action taken in good faith pursuant to the foregoing authority without actual knowledge of my death shall be binding upon us, my heirs, assigns and personal representatives.

IN WITNESS WHEREOF, as Principal, I have signed this Durable Power of Attorney, in Jefferson County, Alabama, on this the 8th day of September, 1995.

Lizzie Mae Kirkland
LIZZIE MAE KIRKLAND

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said county in said state, hereby certify that **LIZZIE MAE KIRKLAND**, whose name is known to me, acknowledged before me on this day that, being informed of the contents of the said Durable Power of Attorney, she executed the same voluntarily on the day the same bears date. This the 8th day of September, 1995.

Velva J. Hayton
NOTARY PUBLIC
MY COMMISSION EXPIRES: 9/24/99

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