


# GENERAL DURABLE POWER OF ATTORNEY

OF

**JAMES KENNETH BEAN**

  
20070212000064340 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
02/12/2007 11:11:50AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That, I, JAMES KENNETH BEAN, of the county of Shelby, State of Alabama, have made, constituted and appointed, and by these presents do make, constitute and appoint MARK A. BEAN (my son) as my true and lawful attorney for me and in my name, place and stead, and for the use and benefit, to perform the following specific duties:

The continuing, absolute and discretionary power to deal with any property, real or personal, as freely and completely as I might in handling my own affairs. Such powers shall include but are not limited to the following:

1. To acquire, recover, sell, exchange, mortgage, lease or dispose of any or all property, real or personal, at public or private sale, at such time and price and upon such terms and conditions as he shall determine.
2. To borrow money upon such terms and conditions as he may determine and the power to expend money upon such terms and conditions as he may determine.
3. To employ accountants, attorneys and such other agents as he may deem advisable, and to pay reasonable compensations for their services.
4. To collect my debts, to pursue claims against others whom I have a claim against, to endorse my checks, to execute my government vouchers, to deposit my money and to gather and secure my real property or other personal property.
5. To prepare and file my tax returns and to represent me in tax matters and/or to hire other professionals such as certified public accountants and attorneys to represent me in tax matters.
6. To transfer title to my automobiles.
7. To compromise, defend, settle or adjust any claim against me. It is my desire and I direct that, **MARK A. BEAN** exercise the powers and authority herein granted independently and without prior or subsequent order or approval of any court or judicial authority. I direct that he shall not be required to give bond for the performance of his duties as such, or to file an inventory
8. To act as the guardian over my person and/or to act as the conservator over my estate. It is my desire and I direct that **MARK A. BEAN**, exercise the powers and authority herein granted independently and without prior or subsequent order or approval of any court or judicial authority. I direct that he shall not be required to give bond for the performance of his duties as such, or to file an inventory.
9. To perform any act which I may do myself, including but not limited to the power to purchase or sell securities, the power to open accounts with securities brokers or dealers, the power to vote stocks, the power to do my banking, the power to enter any safe deposit boxes that are in my name, the power to borrow money, the power to sign, execute, deliver, or endorse or guarantee promissory notes in my name and to pledge or mortgage as security for those loans real and/or

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personal property owned by me, the power to subject any real property that I own to any options, easements, servitudes, covenants, restrictions, leases, licenses.

10. The power to bind me to contracts.
11. The power to foreclose on any mortgages on real and/or personal property and to take title to the property in my name.
12. The power to place insurance on any of my real and/or personal property owned by me and to make and execute bonds of all kinds, either as principal or surety.
13. The power to make gifts.
14. The power to form corporations, companies, and partnerships.
15. The power to conduct business in my name.
16. The power to purchase, acquire, sell United States Treasury bonds.
17. The power to create, execute, and transfer into trust.
18. The power to receive my United States mail, certified mail, or other correspondence delivered or handled by a courier.

If court proceedings are commenced after the execution of this power of attorney to appoint a guardian, conservator, or other fiduciary to take charge of my person or to manage and conserve any of my property, I nominate and appoint my attorney as my guardian, conservator, or other such fiduciary, who will serve without bond unless otherwise required by a court of competent jurisdiction.

That in the event that MARK A. BEAN is not capable of and/or willing to serve as my true and lawful attorney for me and in my name, place and stead and for my use and benefit I hereby constitute and appoint Donna M. Willis (my daughter) of 8233 Wynwood Drive, Helena, Alabama 35180 to be my alternative true and lawful attorney for me and in my name, place and stead and for my use and benefit and possessing the same powers as enumerated above but not to be limited to those enumerated powers as above.

That I, **JAMES KENNETH BEAN** desire that this General Durable Power of Attorney shall be effective immediately upon the recording of same.


This Power of Attorney shall not be affected by disability, incompetence, or incapacity of the principal, JAMES KENNETH BEAN.

My execution of this power of attorney revokes all prior powers of attorney made by me.

Giving and granting unto my said attorney specific power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might do if personally present, with full power of substitution or revocation, hereby ratifying and confirming that my said attorney, or his substitutes or successors, shall lawfully do or cause to be done by these presents.

This Power of Attorney shall remain in effect until revoked by me in writing and said revocation is recorded in the Office of the Probate Judge of Shelby County, Alabama.

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Third parties may rely upon the representations of my attorney as to all matters relating to any power granted to my attorney, and no person who may act in reliance upon the representations of my attorney or the authority granted to my attorney shall incur any liability to me or my estate as a result of permitting my attorney to exercise that power.

I acknowledge that I have read carefully the provisions of this power of attorney and that I understand its contents. I understand that this power of attorney authorizes my attorney to exercise all powers with respect to my real and personal property which I might personally exercise, and that anything that my attorney may do in exercise of these powers is fully binding upon me, and that these powers are not terminated by my being declared legally incapacitated.

References in this power of attorney to the masculine, feminine, or neuter gender, and the singular or plural number, include the others whenever the context so indicates. The word "person" in this power of attorney means any individual, partnership, firm, association or organization, whether or not incorporated.

A copy of this power of attorney shall have the same full force and effect as though it were an original.

The enumeration of specific powers herein is not intended to, nor is it intended to limit or restrict the powers of my attorney.

WITNESS my hand this the 9<sup>th</sup> day of FEB, 2007.

James Kenneth Bean  
JAMES KENNETH BEAN

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

Before me, the undersigned authority, a Notary Public in and for said county and state, personally appeared JAMES KENNETH BEAN who, being duly sworn and deposed stated under oath that the facts contained in the above and foregoing document is true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me on this the 9<sup>th</sup> day of February, 2007.

John Mark Eader  
NOTARY PUBLIC

Notary Public, Alabama State at Large  
My Commission Expires June 24, 2007

My commission expires: \_\_\_\_\_

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ACCEPTANCE OF APPOINTMENT

I, Mark A BEAN, accept the appointment by  
James Kenneth Bean the principal of the foregoing General Durable  
Power of Attorney as his attorney in fact and I, DONNA M. Willis,  
accept the appointment by James Kenneth Bean as his successor  
attorney in fact.

Mark A Bean

Attorney in fact's name

Date: 2/9/07

Donna M. Willis

Successor attorney in fact's name

Date: 2/9/07

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

Before me, the undersigned authority, a Notary Public in and for said county and state,  
personally appeared JAMES KENNETH BEAN who, being duly sworn and deposed stated  
under oath that the facts contained in the above and foregoing document is true and correct to  
the best of his/her knowledge and belief.

Sworn to and subscribed before me on this the 9<sup>th</sup> day of February,  
2007.

Mark Eaden  
NOTARY PUBLIC

Notary Public, Alabama State at Large  
My Commission Expires June 24, 2007

My commission expires: \_\_\_\_\_



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