


STATE OF ALABAMA)

JEFFERSON COUNTY)


20090107000003980 1/4 \$20.00
Shelby Cnty Judge of Probate, AL
01/07/2009 09:12:03AM FILED/CERT

GENERAL POWER OF ATTORNEY (DURABLE)

KNOW ALL MEN BY THESE PRESENT, That I, Marlin Lester Harris, the undersigned, of 160 Mimosa Road, Leeds, Jefferson County, Alabama 35094, do hereby make, constitute, and appoint Mary Sue Harris of 160 Mimosa Road, Leeds, Jefferson County, Alabama 35094, or upon his death or incapacity, such incapacity being certified in writing by a practicing physician, then Janice Elaine Daffron as my true and lawful attorney-in-fact for me and my name and in my name place and stead to do and perform the following acts:

1. 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;

2. 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, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, chooses in action, 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 interest, to have, use, and take all lawful means and equitable and legal remedies, procedures, and writs in

GENERAL POWER OF ATTORNEY (Continued)

Page Two

my name for the collection and 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;

3. To lease, purchase, exchange, and acquire and to agree, bargain, and contract for the lease, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any real or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as said attorney-in-fact shall deem proper;

4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal 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 said attorney-in-fact shall deem proper;

5. To conduct, engage in, and transact any and all lawful business of whatever nature or kind for me, on my behalf, and in my name;

6. To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, 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, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings and loan or other institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements and other debts and

GENERAL POWER OF ATTORNEY (Continued)

Page Three

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.

7. I grant to said attorney-in-fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney-in-fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

8. This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to said attorney-in-fact.

9. This power of attorney shall not be affected by disability, incompetency, or incapacity of the principal.

10. In the event that my treating physician should determine that I am unable to make health care decisions for myself, but my condition is neither a terminal illness or injury nor a state of permanent unconsciousness as defined by Alabama law so as to invoke the provisions of the Natural Death Act, §22-8-1 through 22-8A-10, 1975 Code of Alabama, I grant to Agent the power to make health care decisions for me. This shall include, but not to be limited to the power to arrange for my care at the home or by admitting me to a medical, nursing, assisted living, mental health or other facility, to have access to my medical records, to consult with my health care providers, to authorize medical treatment of any kind whatever, including the use of medications to relieve pain, even if the

GENERAL POWER OF ATTORNEY (Continued)

Page Four

medications might cause addiction or hasten my death, or to refuse medical treatment of any kind if in his best judgment such treatment or medications would be unacceptable to me if I were able to act for myself. Agent shall incur no liability in connection with these decisions nor shall any health care provider incur liability as a result of relying in good faith on Agent's decisions and instructions.

11. Any person, firm, or corporation dealing with Agent under the authority of this instrument is authorized to deliver to Agent all consideration of every kind or character with respect to any transactions so entered into by Agent and shall be under no duty or obligation to see to or examine into the disposition thereof. Third parties may rely upon the representation of Agent as to all matters relating to any power granted to Agent, and no person who may act in reliance upon the representation of Agent or the authority granted to Agent shall incur liability to me or my estate as a result of permitting Agent to exercise any power.

12. Grantor agrees that any third part receiving a signed copy or reproduction of this Power of Attorney may act under it. Revocation or termination of this Power of Attorney will not be effective until the third party receives actual knowledge of the termination or revocation. Grantor shall hold harmless any third party from and against any claims that may arise against the third party as a result of reliance on this Power of Attorney

DATED: January 5, 2009
Marlin Lester Harris
Marlin Lester Harris

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Mary Annette Gilbert whose name is signed to the foregoing General Power of Attorney, and who is known to me, acknowledged before me on this day that, being informed of the contents of the General Power of Attorney, she executed the same voluntarily on the day the same bears date.

Given under my hand and office seal this 5th day of January 2009.

Kimberly S. Isbell
Notary Public
My Commission Expires: 04/13/2011