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Shelby Cnty Judge of Probate, AL
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After recording return to:
National Closing Solutions
Attn: Tara Reel
5814 Lonetree Blvd
Rocklin, CA 95765

A.P.N. 23-8-27-0-000-001.036

NCS: 2301-33745

1053

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

Durable Power of Attorney

**STATE OF ALABAMA
COUNTY OF SHELBY**

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I, DIANE M. SCIARA, legal resident of SHELBY County, Alabama, have made, constituted and appointed and by these presents do make, constitute and appoint SAMUEL A. SCIARA SR., my true and lawful attorney to act in, manage my estate and conduct all my affairs, and for that purpose and in my name, place and stead, and for my use and benefit, and as my attorney and in my behalf, to do and execute, or to concur with persons jointly interested therein and doing and 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, quitclaim or otherwise encumber or dispose of; or to contract or agree for the acquisition, disposal or encumbrance of any property owned by me or in which I have an interest whatsoever and where so ever situated, be it real, personal or mixed, or any custody, possession, interest or right therein or pertaining thereto, upon such terms as my attorney 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) To make, do and transact all and every kind of business of whatever kind, or nature, including the receipt, recovery, collection, payment, compromise, settlement or adjustment of all accounts, legacies, bequests, interests, dividends, annuities, claims, demands, debts, taxes and obligations, which may now or hereafter be due, owing or payable by me or to me;

(4) To make, endorse, accept, receive, sign, seal, execute, acknowledge and deliver deeds, assignments, agreements, certificates, hypothecations, checks, notes, 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;



(5) 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, including postal savings depository offices, credit unions, savings and loan associations, commercial banks, and similar institutions; to exercise any rights, options, or privileges pertaining thereto; and to open or establish accounts, holdings or interests of whatever kind or nature, with any such institutions in my or in my said attorney's name or in both of our names, jointly either with or without right of survivorship;

(6) 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;

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

(8) To engage and dismiss agents, counsel or employees, and to appoint and remove at pleasure any substitution for, or agent of, my said attorney, in respect to all or any of the matters or things therein mentioned;

(9) To prepare, execute and file income and other tax returns, and other governmental reports, declarations, applications, requests and documents;

(10) Generally to manage all my affairs for me and to do any and all acts necessary or proper in the sole discretion of my said attorney in and about the management of my affairs.

GIVING AND GRANTING unto my said attorney full power and authority to do and perform all and every act, deed, matter and thing whatsoever in and about our estate, property, affairs, as fully and effectually to all intents and purposes as I might or could do in my proper person if personally present, the above specially enumerated powers being in aid and exemplification of the full, complete and general power herein granted, and not in limitation of definition thereof; and hereby ratifying all that

my said attorney shall lawfully do or cause to be done by virtue of these presents.

This power of attorney shall not be affected by disability, incompetence or incapacity of the principal. It being the intention of the principal that the authority conferred shall be exercisable notwithstanding said principal's subsequent disability, incompetence, or incapacity.

And I do hereby declare that any act or thing lawfully done hereunder by my attorney shall be binding on me and my heirs, legal and personal representatives, and assigns, and I do hereby ratify and confirm every act of my said attorney in the premises.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 5
day of January, 2004.

Diane M. Sciara
DIANE M. SCIARA

WITNESSES

Dorise J. Wall Katherine Wanggaard

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County, and State, hereby certify that DIANE M. SCIARA, whose name is signed to the foregoing Durable Power of Attorney, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, he executed the same voluntarily on the day of its date.

Given under my hand and seal this the 5th day of Jan, 2004.

Diane M. Sciara
NOTARY PUBLIC
MY COMMISSION EXPIRES 04-20-07