

## **DURABLE POWER OF ATTORNEY**

### **IMPORTANT INFORMATION**

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 29, *Code of Alabama 1975*.

This power of attorney does not authorize the agent to make health care decisions for you. Such powers are governed by other applicable law.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reimbursement of reasonable expenses and reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a co-agent in the Special Instructions. Co-agents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.



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Shelby Cnty Judge of Probate, AL  
02/05/2018 10:45:12 AM FILED/CERT

STATE OF Alabama  
COUNTY OF Shelby

### DESIGNATION OF AGENT

I, **Daniel P. Donaldson**, name the following person as my agent:

Name of Agent: Joan Gamble

Agent's Address: 1530 Randall Wade Rd., Headland, AL 36345

Agent's Telephone: \_\_\_\_\_

### DESIGNATION OF SUCCESSOR AGENT

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: N/A

Successor Agent's Address:

Successor Agent's Telephone Number:

### GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, *Code of Alabama 1975*:

If you wish to grant general authority over all of the subjects enumerated in this section you may SIGN here:

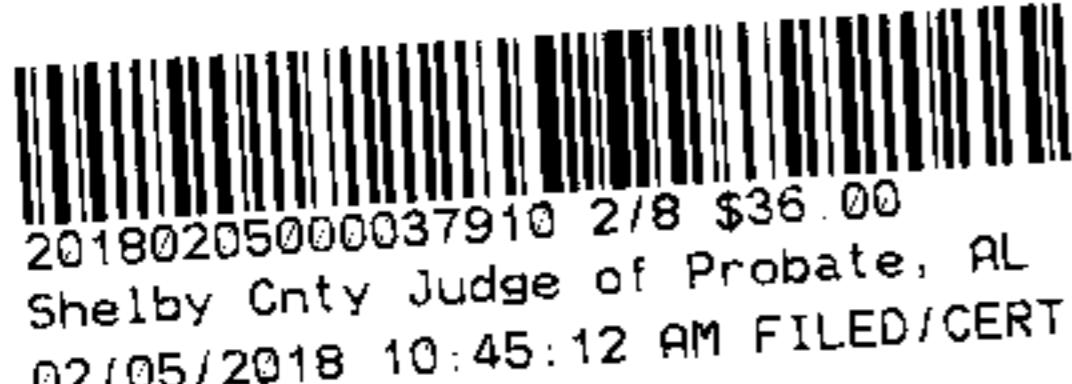
I grant general authority over all enumerated subjects:

N/A  
(Signature of Principal)

OR

If you wish to grant specific authority over less than all subjects enumerated in this section you must INITIAL by each subject you want to include in the agent's authority:

Real Property as defined in Section 26-1A-204  
\*\*See SPECIAL INSTRUCTIONS (Page 5) for limitations



- N/A Tangible Personal Property as defined in Section 26-1A-205
- N/A Stocks and Bonds as defined in Section 26-1A-206
- N/A Commodities and Options as defined in Section 26-1A-207
- N/A Banks and Other Financial Institutions as defined in Section 26-1A-208
- N/A Operation of Entity or Business as defined in Section 26-1A-209
- N/A Insurance and Annuities as defined in Section 26-1A-210
- N/A Estates, Trusts, and Other Beneficial Interests as defined in Section 26-1A-211
- N/A Claims and Litigation as defined in Section 26-1A-212
- N/A Personal and Family Maintenance as defined in Section 26-1A-213
- N/A Benefits from Governmental Programs or Civil or Military Service as defined in Section 26-1A-214
- N/A Retirement Plans as defined in Section 26-1A-215
- N/A Taxes as defined in Section 26-1A-216
- N/A Gifts as defined in Section 26-1A-217

#### **GRANT OF SPECIFIC AUTHORITY (OPTIONAL)**

My agent **MAY NOT** do any of the following specific acts for me **UNLESS I have INITIALED** the specific authority listed below:

**(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL the specific authority you WANT to give your agent.)**

- N/A Create, amend, revoke, or terminate an inter vivos trust, by trust or applicable law
- N/A Make a gift to which exceeds the monetary limitations of Section 26-1A-217 of the Alabama Uniform Power of Attorney Act, but subject to any special instructions in this power of attorney



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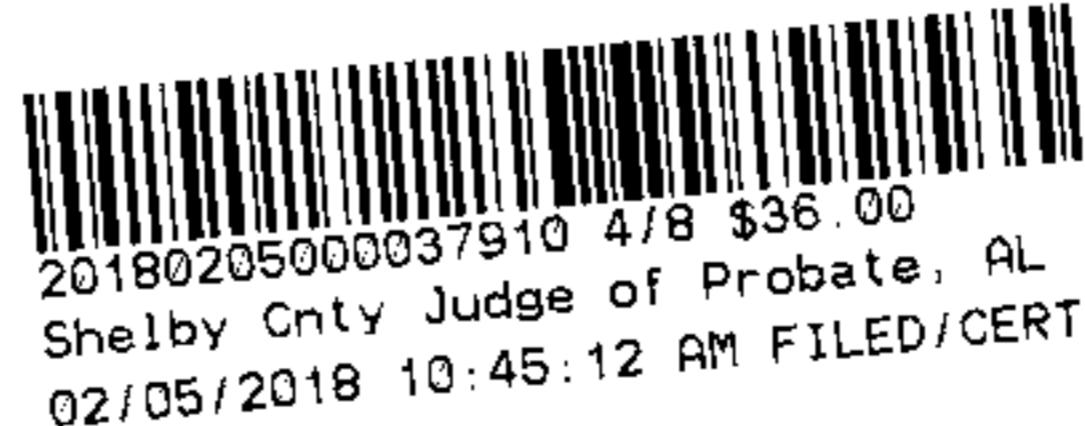
- N/A Create or change rights of survivorship
- N/A Create or change a beneficiary designation
- N/A Authorize another person to exercise the authority granted under this power of attorney
- N/A Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- N/A Exercise fiduciary powers that the principal has authority to delegate

#### **LIMITATIONS ON AGENT'S AUTHORITY**

An agent that is not my ancestor, spouse, or descendant **MAY NOT** use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

**Limitation of Power.** Except for any special instructions given herein to the agent to make gifts, the following shall apply:

- (a) Any power or authority granted to my Agent herein shall be limited so as to prevent this Power of Attorney from causing any Agent to be taxed on my income or from causing my assets to be subject to a "general power of appointment" by my Agent as defined in 26 U.S.C. §2041 and 26 U.S.C. §2514 of the Internal Revenue Code of 1986, as amended.
- (b) My Agent shall have no power or authority whatsoever with respect to any policy of insurance owned by me on the life of my Agent, or any trust created by my Agent as to which I am a trustee.



### **SPECIAL INSTRUCTIONS (OPTIONAL)**

You may give special instructions on the following lines. For your protection, if there are no special instructions write NONE in this section.

This Power of Attorney is for the sole purpose for the execution of any and all documents necessary to complete the purchase of the property located at 369 Birmingham Street, Montevallo, Alabama 35115, including but not limited to any documents pertaining to that certain loan with First State Bank of Blakely; Note, Mortgage, Truth-in-Lending documents, Closing Statements, HUD Certification, Affidavit of Purchaser and Vendor, Lender Assumption Statements and/or Modification Agreements, Mortgage, Notes and Truth in Lending and any other documents required for said purchase.

### **EFFECTIVE DATE**

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

### **NOMINATION OF [CONSERVATOR OR GUARDIAN] (OPTIONAL)**

If it becomes necessary for a court to appoint a [conservator or guardian] of my estate or [guardian] of my person, I nominate the following person(s) for appointment:

Name of Nominee for [conservator or guardian] of my estate: N/A

Nominee's Address: \_\_\_\_\_

Nominee's Telephone Number: \_\_\_\_\_

Name of Nominee for [guardian] of my person:

\_\_\_\_\_  
Nominee's Address: \_\_\_\_\_

Nominee's Telephone Number: \_\_\_\_\_



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## RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

### SIGNATURE AND ACKNOWLEDGEMENT



Daniel P. Donaldson

Your Signature Date:

9/19/17

Your Name Printed:

Daniel P. Donaldson

Your Address:

369 Birmingham St  
Montevallo, AL 35115

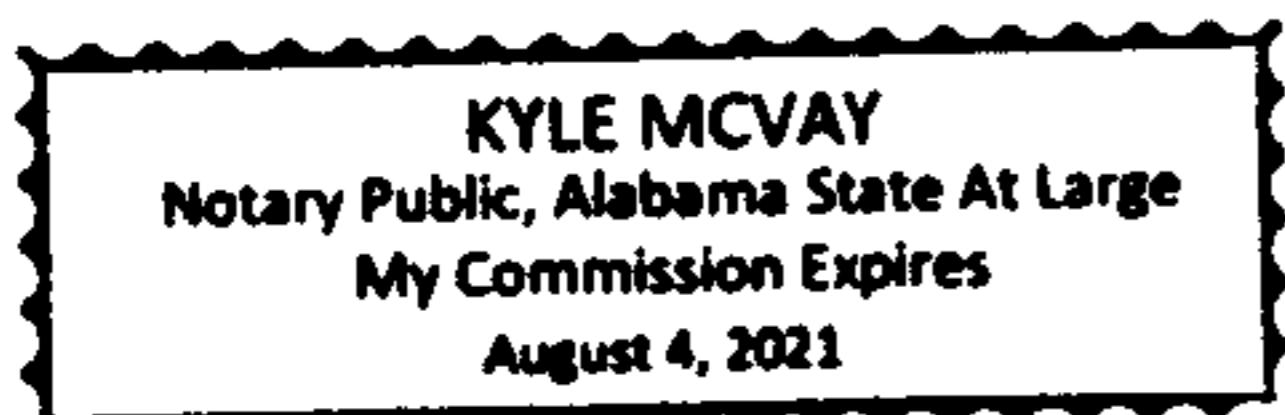
Your Telephone Number:



State of Alabama  
County of Shelby

I, Kyle McVay, a Notary Public, in and for the County in this State, hereby certify that **Daniel P. Donaldson**, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the document, he executed the same voluntarily on the day the same bears date.

Given under my hand this 19 day of September, 2017.



Kyle McVay  
Signature of Notary  
My Commission Expires: August 4, 2021

This document prepared by:  
Farmer, Price, Hornsby & Weatherford  
P. O. Drawer 2228  
Dothan, Alabama 36302  
(334) 793-2424

  
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## **IMPORTANT INFORMATION FOR AGENT**

### **Agent's Duties**

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

(1) do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;

(2) act in good faith;

(3) do nothing beyond the authority granted in this power of attorney; and

(4) disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

(Principal's Name) by (Your Signature) as Agent Unless the Special Instructions in this power of attorney state otherwise, you must also:

(1) act loyally for the principal's benefit;

(2) avoid conflicts that would impair your ability to act in the principal's best interest;

(3) act with care, competence, and diligence;

(4) keep a record of all receipts, disbursements, and transactions made on behalf of the principal;

(5) cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and

(6) attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

## **Termination of Agent's Authority**

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) death of the principal;
- (2) the principal's revocation of the power of attorney or your authority;
- (3) the occurrence of a termination event stated in the power of attorney;
- (4) the purpose of the power of attorney is fully accomplished; or
- (5) if you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

## **Liability of Agent**

The meaning of the authority granted to you is defined in the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, *Code of Alabama* 1975. If you violate the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, *Code of Alabama* 1975, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

