

BHM1900592

**Alabama Power of Attorney Form
of
Ruby J. Franks**

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DESIGNATION OF CO-AGENTS

I Ruby J. Franks (principal) name the following person as my CO-AGENTS:

Name of co-agent: Michael A. Franks

co-agent's Address: 1021 Narrows Point Drive, Birmingham, AL 35242

co-agent's Telephone Number: (2 [REDACTED])

Name of co-agent: Paul N. Franks

co-agent's Address: 10065 Plantation Drive, Daphne, AL 36526

co-agent's Telephone Number: [REDACTED]

Name of co-agent: Barry K. Franks

co-agent's Address: 4911 Stonecreek Way, Calera, AL

co-agent's Telephone Number: [REDACTED]

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:

(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:

RF

Real Property as defined in Section 26-1A-204

RF

Tangible Personal Property as defined in Section 26-1A-205

RF

Stocks and Bonds as defined in Section 26-1A-206

RF

Commodities and Options as defined in Section 26-1A-207

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- RF Banks and Other Financial Institutions as defined in Section 26-1A-208
- RF Operation of Entity or Business as defined in Section 26-1A-209
- RF Insurance and Annuities as defined in Section 26-1A-210
- RF Estates, Trusts, and Other Beneficial Interests as defined in Section 26-1A-211
- RF Claims and Litigation as defined in Section 26-1A-212
- RF Personal and Family Maintenance as defined in Section 26-1A-213
- RF Benefits from Governmental Programs or Civil or Military Service as defined in Section 26-1A-214
- RF Retirement Plans as defined in Section 26-1A-215
- RF Taxes as defined in Section 26-1A-216
- RF 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.)

- RE Create, amend, revoke, or terminate an inter vivos trust, by trust or applicable law
- RF Make a gift that 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
- RF Create or change rights of survivorship
- RF Create or change a beneficiary designation
- RF Authorize another person to exercise the authority granted under this power of attorney
- RE Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- RF 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.

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

(a) Any power or authority granted to the 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.

1. Any one of my agents may act alone and without the approval or consent of any other agent regarding a matter or may act jointly with any other agent. If any agent fails to serve, no further agent need be appointed unless there is no agent then serving.

2. In addition to the powers granted above, I grant my agent the powers specified in the "ENHANCED POWERS" provisions appearing at the end of this document, which are incorporated herein by reference.

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: Michael A. Franks

Nominee's Address: 1021 Narrows Point Drive, Birmingham, AL 35242

Nominee's Telephone Number: [REDACTED]

Name of Nominee for guardian of my person: Michael A. Franks

Nominee's Address: 1021 Narrows Point Drive, Birmingham, AL 35242

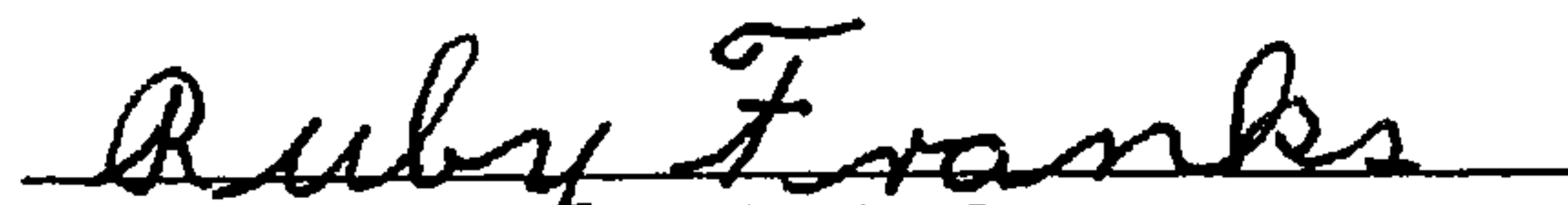
Nominee's Telephone Number: [REDACTED]

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 ACKNOWLEDGMENT

Dated: September 25, 2018


Ruby J. Franks, Principal
509 Overhill Drive
Pelham, AL 35124

STATE OF ALABAMA

)

) ss.:

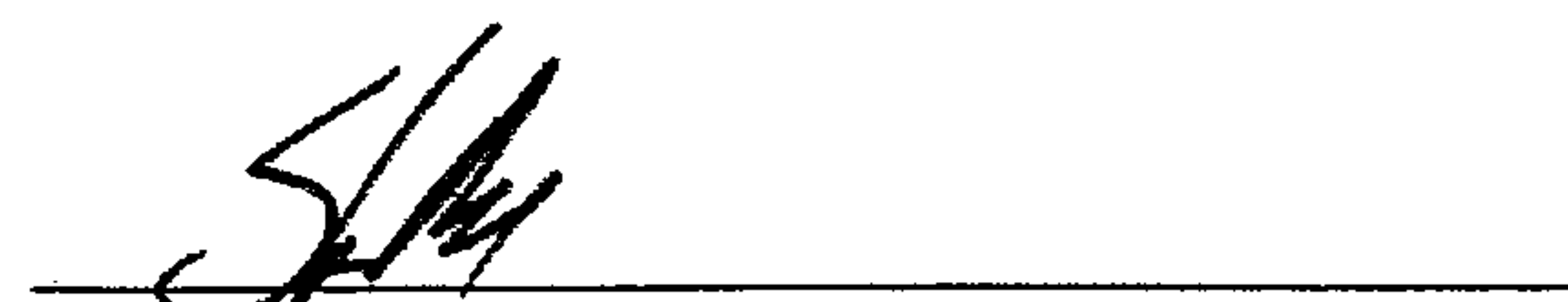
COUNTY OF SHELBY

)

On this day, September 25, 2018, before me personally appeared Ruby J. Franks, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual whose name is subscribed to the foregoing Power of Attorney and acknowledged that she executed the same as her voluntary act and deed for the purposes therein contained.

Witness my hand and official seal.




Steve Bailey, Notary Public
2100 Providence Park, Suite 200
Birmingham, AL 35242
My commission expires June 22, 2022

This document prepared by:

Stephen Judson Bailey, Elder Law Firm of Steve Bailey, 2100 Providence Park,
Suite 200, Birmingham, AL 35242

ENHANCED POWERS

I grant my agent the power to act on my behalf with respect to the following subjects:

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1. Trusts

My Agent may create and fund inter vivos trusts of any type, whether revocable or irrevocable, and whether or not I am a beneficiary. With respect to any trust created by me or on my behalf, my Agent may amend, modify, revoke, or terminate the trust. Further, my Agent may add property to an existing or subsequently created trust, and accept transfers or distributions from any trustee of any trust, including any trust over which I have a right of receipt or withdrawal, whether as grantor, beneficiary, or otherwise.

Also, and without limiting the authority granted to my Agent in this Section, my Agent may:

- (i) create and fund a sole-benefit trust in accordance with United States Code, Title 42, Section 1396p(c)(2)(B);
- (ii) create and fund a self-settled special needs trust in accordance with United States Code, Title 42, Section 1396p(d)(4)(A);
- (iii) create and fund a qualified income trust in accordance with United States Code, Title 42, Section 1396p(d)(4)(B) if such a trust should be deemed necessary to qualify me for Medicaid benefits, and make arrangements for the diversion of my income to such a trust as necessary to comply with applicable Medicaid rules and regulations; and
- (iv) sign all necessary documents to allow me to join any trust qualifying under United States Code, Title 42, Section 1396p(d)(4)(C) and transfer any portion of my assets to such trust.

2. Government Agencies and Benefits

My Agent has the unrestricted power to deal with and obtain maximum entitlements and benefits relating to the Social Security Administration, Veterans Administration, Social Services Departments, Social Security Disability Insurance, Supplemental Security Income, Medicaid, Medicare, Worker's Compensation and all other government benefits or entitlement programs, including claims, planning for eligibility, and submission of applications and appeals. In this regard, my Agent is authorized to execute and deliver any power of attorney or authorization-to-act form requested or required by a governmental agency. This power shall impose no affirmative duty on my Agent to provide information and/or documentation to any government agency.

3. Intent to Return Home

It is my intention to return home if I should be in a hospital, rehabilitation center, or nursing home, and my Agent shall take all steps, including, but not limited to, executing any document, affidavit, or Declaration of Intent to Return Home on my behalf, to effectuate the same.

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4. Domicile

My Agent may change or maintain my domicile and/or residency for any and all purposes and take any and all actions to effectuate the foregoing.

5. Caregiver Agreements

My Agent may enter into, execute, modify, alter, or amend any contract or agreement (for example, a Caregiver Agreement or Personal Services Contract) pertaining to my medical, personal, or general care that I may require at my residence, assisted living facility, nursing facility, or in another's residence on my behalf. I expressly authorize my Agent to also serve as a caregiver under any such agreement and to be paid in accordance with the terms and conditions of such agreement, provided, however, that such services are compensated at fair market value.

6. Domestic Pets

My Agent may make reasonable expenditures for the care, maintenance, support, and general welfare of my domestic pets, if any. Specifically, and without limitation, my Agent may consent to and make reasonable expenditures for medical treatment, boarding, and kennel care of any of my domestic pets. I authorize any and all payments from my funds for pet care provided by any person or entity, including my Agent.

In addition, my Agent may acquire a domestic service pet if, in my Agent's sole discretion, such service pet will benefit me.

7. Spiritual and Religious Needs

My Agent may arrange for the involvement of religious clergy or spiritual leaders in my care, provide said persons access to me at all times, arrange or maintain my membership in religious or spiritual organizations, and create opportunities for me to derive comfort and spiritual satisfaction from such activities, including the purchase of religious books, tapes, and other materials.

8. Companionship

My Agent may provide for such companionship for me, in the sole discretion of my Agent, as will meet my needs and preferences at a time when I am disabled or otherwise unable to arrange for such companionship myself.

9. U.S. Mail

My Agent may open, read, respond to, and redirect my mail, and represent me before the U.S. Postal Service in all matters relating to mail service.

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