

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, which are intended to constitute a General Power of Attorney, that I, **FRED ELMORE HEIFNER, JR.**, having an address at this 3820 Lake Aire Court, Nashville, Tennessee 37217, hereby make, constitute and appoint my wife, **JO ANN FARRINGTON HEIFNER**, having an address at 3820 Lake Aire Court, Nashville, Tennessee 37217, my attorney-in-fact, but if she shall cease, be unable or unwilling to serve, I appoint **CHARLES TODD HEIFNER**, TO ACT in my name, place and stead in any way which I could do, if personally present, to the extent permitted by law:

(a) To open, maintain, add to, withdraw from and close any checking, savings or investment accounts in my name and to perform any transactions that I could do myself;

(b) To issue, receive, or endorse with my name checks, drafts and orders for the payment of money from or to any account of mine;

(c) To ask, demand, sue for, recover and receive all manner of goods, chattels, debts, rents, interest, sums of money and demands whatsoever, due or to become due, and to acknowledge, execute and deliver acquittances, receipts, releases, satisfactions or other discharges for the same;

(d) To make, execute, endorse, accept and deliver in my name or in the name of my attorney-in-fact all checks, notes, drafts, warrants, acknowledgments, and any other agreements or instruments of any nature, as to my attorney-in-fact may seem necessary or appropriate and to execute, acknowledge and deliver all assignments, extensions, satisfactions, releases, contracts, deeds, leases, mortgages, writings and any other agreements and instruments of any nature affecting any property of any nature and wherever situate, which to my attorney-in-fact may seem necessary or appropriate;

(e) To enter and take possession of any real or personal property, or any part thereof, belonging to me or to which I may be entitled, and to receive and take for me and in my name all or any rents, issues and profits of any real property to me belonging, and to let the same in such manner as to my attorney-in-fact shall seem necessary or appropriate;

(f) To commence any actions or proceedings, for the recovery of any real or personal property or for any other purpose, and to prosecute, maintain and discontinue the same as my attorney-in-fact may deem necessary or appropriate;

(g) To appear, answer and defend in any actions or proceedings commenced against me, and to compromise, settle and adjust all actions, proceedings, accounts, dues and demands that may exist as my attorney-in-fact shall deem necessary or appropriate;

(h) To make gifts of property, personal, real, or otherwise, on my behalf;

(i) To determine my place of residence from time to time, to pay my ordinary house expenses, to arrange for and pay the costs of medical, dental, and other healthcare and treatment;

(j) To obtain on my behalf copies of medical reports and other related information, to execute any written consents on my behalf for disclosure of such records or information, and to apply for insurance, Social Security, Medicaid, Medicare or any other personal benefits to which I may be entitled;

(k) To rent safe deposit boxes in my name as depositary, and to open and enter on my behalf any safe deposit box held by me alone or jointly with others, at any time to deposit to such box or remove from such box as my attorney-in-fact deems appropriate;

(l) To sell and dispose of, as my attorney-in-fact shall deem in my best interest, or that of my estate, any real property or personal property,

after my attorney-in-fact has considered the powers enumerated in (e) above to be inappropriate;

(m) To take all steps and remedies necessary or appropriate for the conduct and management of my business and personal affairs, and for recovering, obtaining and holding all real or personal property including debts, interest, demands, duties, sums of money or any other things whatsoever, as aforesaid, that are thought to be due, owing, belonging or payable to me in my own right or otherwise;

(n) To do, execute, perform and finish for me and in my name all things which my attorney-in-fact shall deem necessary or appropriate, in and about or concerning my property or any part thereof;

(o) To act for me in all matters affecting my person, health, business or property, even though not specifically enumerated herein, with the same force and effect as though I were personally present and acting for myself.

This Power of Attorney is a General Durable Power of Attorney, and it shall not be affected by my becoming disabled, incompetent or incapacitated nor shall it be affected by the lapse of time. It is my intent that the authority conferred herein shall be exercisable notwithstanding my physical disability, mental incompetency or any other incapacity.

In the event court proceedings are hereafter commenced to appoint a guardian, conservator or other fiduciary to oversee my person or property, I hereby appoint my attorney-in-fact as such fiduciary, to serve without bond, unless required by a court of competent jurisdiction.

The following is a specimen of the handwriting and form of signature of my primary attorney-in-fact that is authorized in this Durable Power of Attorney:


JO ANN FARRINGTON HEIFNER

My attorney-in-fact shall not be obligated to furnish bond or any other security and shall be entitled to reasonable compensation for services rendered.

To induce any third party to act hereunder, I agree that any third party receiving a duly executed copy or facsimile of this power of attorney, with the proper physician certificate or letter attached, may act hereunder, and that revocation or termination hereof shall be ineffective as to such third party unless and until receipt of actual notice or knowledge thereof, and I, for myself and my heirs, executors, legal representatives and assigns, agree to indemnify and hold such third party harmless from and against any and all claims that may arise by reason of reliance upon this power of attorney.

IN WITNESS WHEREOF, I have executed this General, Durable Power of Attorney this 2nd day of August, 1997.

Fred Elmore Heifner Jr.
FRED ELMORE HEIFNER, JR.

WITNESS

David Lane Reynolds

residing at

Box 292324 - 800 Lakeshore Dr
Birmingham, AL 35229

Mark Baggett

1333 ROUND HILL RD
BIRMINGHAM, AL 35216

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

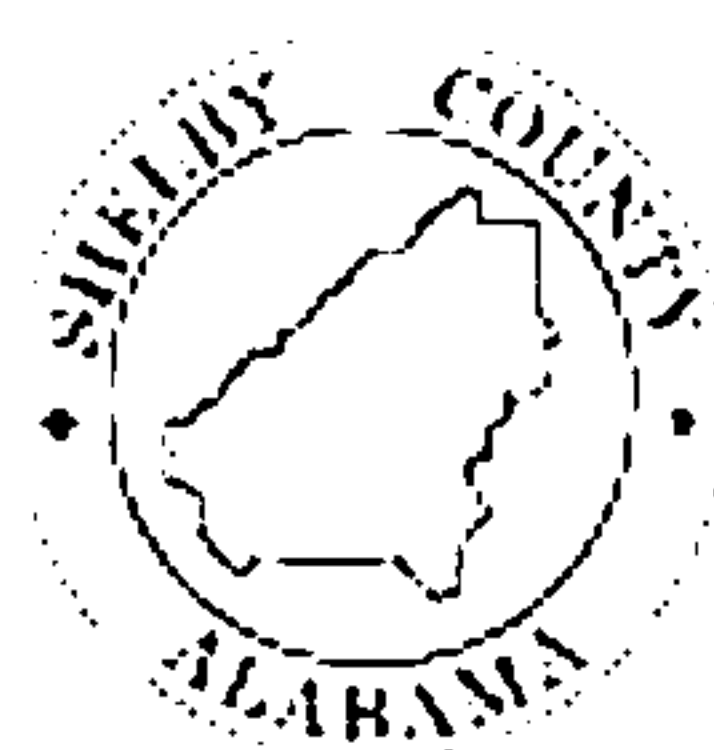
I, hereby certify that FRED ELMORE HEIFNER, JR., whose name is signed to the foregoing Durable Power of Attorney (consisting of four pages, including this one), and David Lane Reynolds and J. MARK BAGGETT as witnesses, all of whom are known to me, acknowledged before me on this day that FRED ELMORE HEIFNER, JR., being informed of the contents of said Power of Attorney,, executed the same voluntarily on this 2 day of August, 1997.

Mark Baggett
Notary Public

My commission expires:

Dec 31, 1997

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Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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Allie S. Bevil

