

DURABLE POWER OF ATTORNEY



20221005000380460 1/4 \$31.00
Shelby Cnty Judge of Probate, AL
10/05/2022 12:26:44 PM FILED/CERT

DESIGNATION OF AGENT

I, **NITA WELLS OGG FOSHEE**, name the following persons to act as my agent:

DEELANA F. BORDEN

5068 Sutherland Rd.

Mount Olive, AL 35117

Telephone: [REDACTED]

DESIGNATION OF SUCCESSOR AGENT

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

ALEXA RYANNE BORDEN

5068 Sutherland Rd.

Mount Olive, AL 35117

Telephone: [REDACTED]

GRANT OF SPECIFIC AUTHORITY

I grant my agent and any successor 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:

- a) Real Property as defined in Section 26-1A-204
- b) Tangible Personal Property as defined in Section 26-1A-205
- c) Stocks and Bonds as defined in Section 26-1A-206
- d) Banks and Other Financial Institutions as defined in Section 26-1A-208
- e) Insurance and Annuities as defined in Section 26-1A-210
- f) Estates, Trusts, and Other Beneficial Interests as defined in Section 26-1A-211
- g) Claims and Litigation as defined in Section 26-1A-212
- h) Personal and Family Maintenance as defined in Section 26-1A-213
- i) Benefits from Governmental Programs or Civil or Military Service as defined in Section 26-1A-214
- j) Retirement Plans as defined in Section 26-1A-215
- k) Taxes as defined in Section 26-1A-216
- l) Gifts as defined in Section 26-1A-217
- m) Create, amend, revoke, or terminate an inter vivos trust, by trust or applicable law.
- n) 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.
- o) Create or change rights of survivorship.



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- p) Create or change a beneficiary designation.
- q) Authorize another person to exercise the authority granted under this power of attorney.
- r) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.
- s) Exercise fiduciary powers that the principal has authority to delegate.
- t) Access all existing online accounts, including but not limited to social media, banking, or any other type account, with power to change user name and password, terminate online access, or to initiate online access.

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

This durable power of attorney revokes and cancels any and all powers of attorney, durable or otherwise, which I may have executed prior to the date hereof.

This durable power of attorney shall not be affected by my disability, incompetency or incapacity and may be exercised notwithstanding any such disability, incompetency or incapacity and notwithstanding any uncertainty as to whether I am dead or alive.

In the event of two people serving as joint agents, they must act together for each and every power enumerated herein.

EFFECTIVE DATE

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



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NOMINATION OF CONSERVATOR OR GUARDIAN

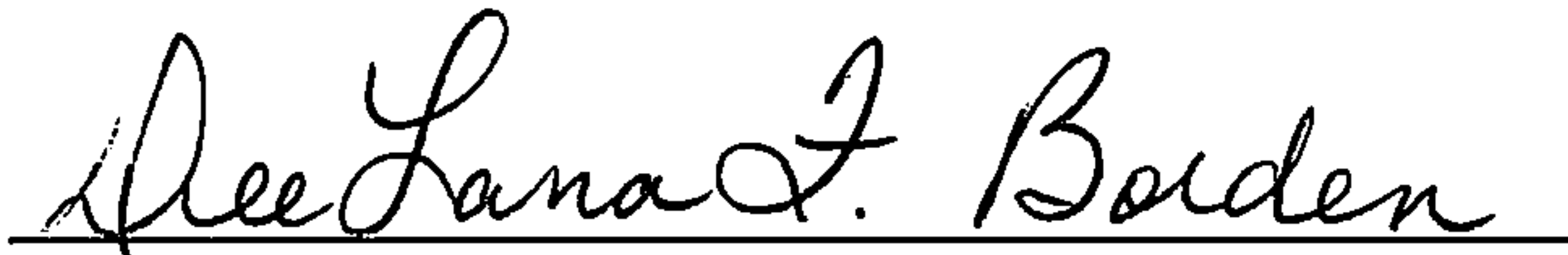
If it becomes necessary for a court to appoint a conservator or guardian of my estate or guardian of my person, I nominate the following person for appointment to either or both positions:

DEELANA F. BORDEN
5068 Sutherland Rd.
Mount Olive, AL 35117
Telephone: (205) 296-5860

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. Reproductions of this executed original (with reproduced signatures and the certificate of acknowledgement) shall be deemed to be original counterparts of this power of attorney.

Specimen signature of my attorney in fact:


DEELANA F. BORDEN

SIGNATURE AND ACKNOWLEDGMENT

I understand that this Power of Attorney is an important legal document. This document provides my Agent with broad powers to sell, convey, encumber, and dispose of my real and personal property. The powers granted in this document will exist until I die or revoke the Power. The Power will continue to exist notwithstanding my subsequent disability or incapacity. **I have the right to revoke or terminate this Power at any time.**

IN WITNESS WHEREOF, I hereby certify to the genuineness of the signature of my attorney in fact, and I hereby sign this Power of Attorney this 4th day of September 2019.


NITA WELLS OGG FOSHEE
1108 Mountain Drive
Fultondale, AL 35068
Telephone: (205) 616-5867

WITNESSES:

L. Motes
Charles Weyer

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, TERESA BELROSE WATSON, a Notary Public, in and for the County in this State, hereby certify that **NITA WELLS OGG FOSHEE**, 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 or she executed the same voluntarily, and sworn and subscribed before me by the witnesses, LAUREN MOTES and CHARLES WEYER on the day the same bears date.

Given under my hand this the 4th day of September 2019.

Signature of Notary: Teresa Belrose Watson
My commission expires: 6/10/23

This document prepared by:
Teresa B. Watson,
Attorney at Law, LLC.
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(205) 285-8290