

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

ALABAMA POWER OF ATTORNEY

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 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 1 A, Title 26, 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 and is durable in nature (still effective in the event you are unconscious or unable to speak) unless you state otherwise in the Special Instructions.

DESIGNATION OF AGENT

I, **Emery J. Brawley** name the following person as my "Agent:"

Name of Agent: **Debra A. Brawley**

Relationship of Agent: Wife of Principal

Agent's Address: 149 Canter Way, Alabaster, Alabama 35007

Agent's Telephone Number: (205) 936-0273

DESIGNATION OF FIRST SUCCESSOR AGENT (Serving in a situation where Agent is unable or unwilling to do so)

I, **Emery J. Brawley** name the following person as my "First Successor Agent:"

Name of First Successor Agent: **Susan Cushman**

Relationship of First Successor Agent: Sister of Principal

Agent's Address: 12931 Lillian Highway, Pensacola, Florida 32506

Agent's Telephone Number: (850) 516-0351

DESIGNATION OF SECOND SUCCESSOR AGENT (Serving in a situation where First Successor Agent is unable or unwilling to do so)

I, **Emery J. Brawley** name the following person as my "Second Successor Agent:"

Name of Second Successor Agent: **Janet Teasley**

Relationship of Second Successor Agent: Sister of Principal

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Agent's Address: 212 Edgewood Lane, Ellijay, Georgia 30540

Agent's Telephone Number: (706) 669-7881

GRANT OF GENERAL AUTHORITY

I grant my Agent and 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 1 A, 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:


Emery J. Brawley

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

GRANT OF SPECIFIC AUTHORITY

My Agent and/or Successor 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 only the specific authority you WANT to give your agent.)

- ☐ Create, amend, revoke, or terminate an inter-vivos trust, by trust or applicable law

_____ Make a gift to which exceeds the monetary limitations of Section 26-1A-217 of the law known as the Alabama Uniform Power of Attorney Act, but subject to any special instructions in this power of attorney

_____ Create or change rights of survivorship

_____ Create or change a beneficiary designation

_____ Authorize another person to exercise the authority granted under this power of attorney

_____ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

_____ Exercise fiduciary powers that the principal has authority to delegate

LIMITATIONS ON AUTHORITY OF AGENT AND SUCCESSOR AGENT

An Agent or Successor 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 or Successor 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 or Successor 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 or Successor 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 and/or Successor 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 trustee.

SPECIAL INSTRUCTIONS

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

NONE

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EFFECTIVE DATE

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

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(s) for appointment:

Name of Nominee for [Conservator or Guardian] of my estate: **Debra A. Brawley**

Nominee's Address: 149 Canter Way, Alabaster, Alabama 35007

Nominee's Telephone Number: (205) 936-0273

Name of Nominee for [Guardian] of my person: **Debra A. Brawley**

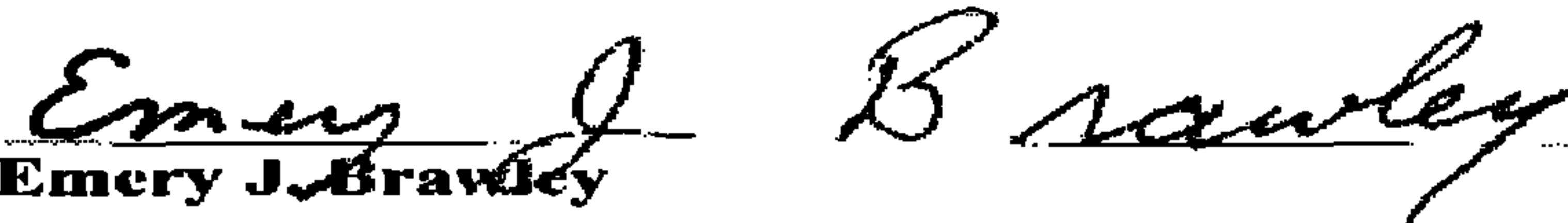
Nominee's Address: 149 Canter Way, Alabaster, Alabama 35007

Nominee's Telephone Number: (205) 936-0273

RELIANCE ON THIS POWER OF ATTORNEY

Any person, institution, or business, (including my Agent and Successor Agent) may justly rely upon the validity of this Power of Attorney or an exact copy of this original unless that person knows it has been terminated or is invalid for any reason.

SIGNATURE AND ACKNOWLEDGEMENT


Emery J. Brawley

Signature Date: 2/23/23

Printed Name: Emery Joseph Brawley

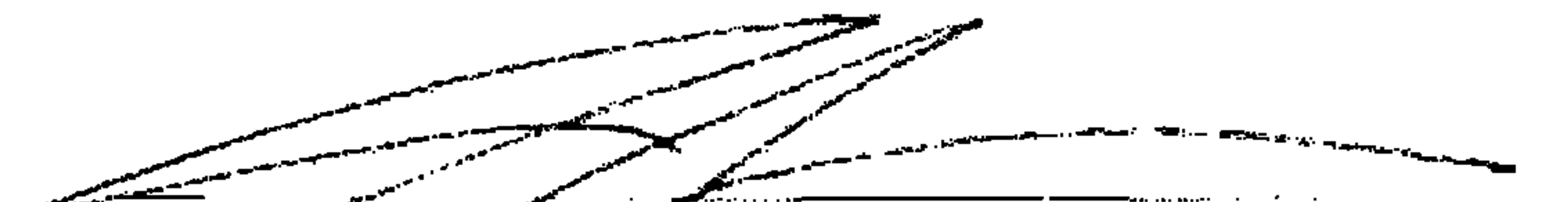
Address: 149 Canter Way, Alabaster, Alabama 35007

STATE OF ALABAMA

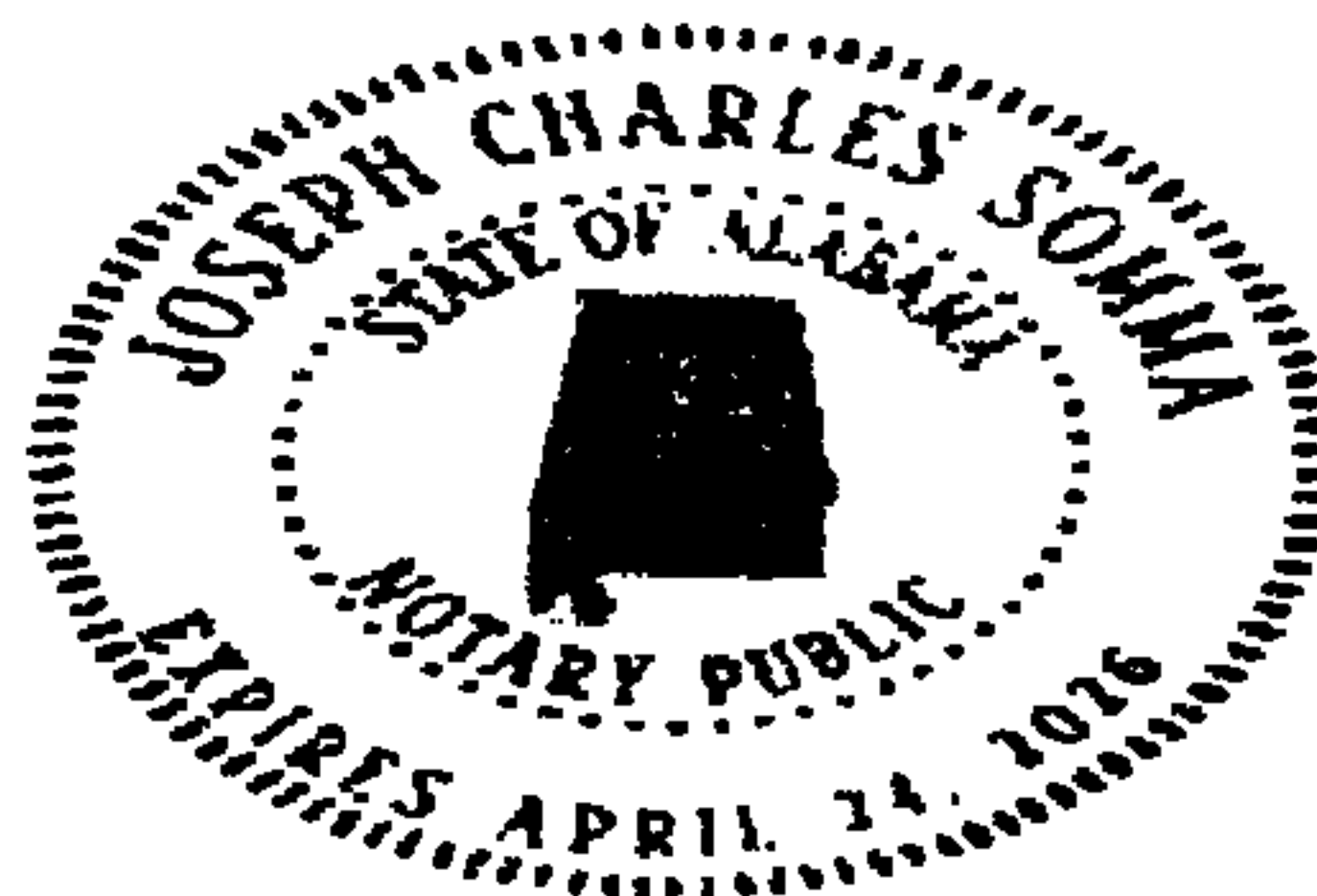
COUNTY OF SHELBY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Emery J. Brawley, whose name is signed to the foregoing Alabama Power of Attorney, and who is known to me, acknowledged before me on this day that, being informed of the contents of the document, she executed the same as her voluntary act on the day the same bears this date.

Given under my hand and seal on this 23rd day of February 2023.


Notary Public
My Commission expires: April 24, 2024

This instrument prepared by:
Joseph Charles Somma
Joseph C. Somma, P.C.
2107 5th Avenue North, Suite 301
Birmingham, Alabama 35203
jcs@jcspc.com
(205) 937-3951



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 your 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:

"Emery J. Brawley, by Debra A. Brawley, his Agent"
Or
"Emery J. Brawley, by Susan Cushman, his Agent"
Or
"Emery J. Brawley, by Janet Teasley, his 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, but are not specifically limited to the following:

- (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 separations, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

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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 independent legal advice.

Signature of Agent and Successor Agent

(Hereby acknowledging receipt of this information and acceptance of the terms)


Debra A. Brawley (Agent)

Susan Cushman (First Successor Agent)

Janet Teasley (Second Successor Agent)

This information provided by:

Joseph Charles Somma
Joseph C. Somma, P.C.
2107 5th Avenue North, Suite 301
Birmingham, Alabama 35203
jcs@jcspe.com
(205) 937-3951



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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