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STATE OF INDIANA
LAKE COUNTY
RECORDED

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This Instrument Prepared By
Donna Irvin Sobel, Attorney
4900 Manatee Avenue West
Suite 206
Bradenton, FL 34209
(941) 747-0001

MOORE ELMER
RECORDER

DURABLE POWER OF ATTORNEY

BY THIS DURABLE POWER OF ATTORNEY, I, RICHARD ELMER MOORE, of Manatee County, Florida, whose social security number is 314-26-8170, appoint my spouse, MERRILY A. MOORE, of 2515 Bayshore Gardens Parkway #10, Bradenton, FL 34207, whose telephone number is (941)758-4601, as my attorney-in-fact to manage my affairs. In case of the resignation, death, or inability to act of my spouse, I appoint my daughter, DEBRA HOEFLE, of 5055 S. Youngfield Court, Morrison, CO 80465, whose telephone number is (303) 972-1510, as my alternate attorney-in-fact to manage my affairs.

This durable power of attorney is not affected by any subsequent incapacity that I may suffer except as provided by statute, and is exercisable from the date of its execution. My attorney-in-fact may exercise the authority granted under this durable power of attorney until I die, revoke this power, or am adjudicated totally or partially incapacitated by a court of competent jurisdiction unless such court determines that certain authority granted by this power is to remain exercisable by my attorney-in-fact. My attorney-in-fact is not liable for any acts or decisions made by my attorney-in-fact in good faith and under the terms of this power.

Without limiting the broad powers conferred by the preceding provisions, I authorize my attorney-in-fact to:

- 1. Collect all sums of money and other property that may be payable or belonging to me, and execute receipts, releases, cancellations or discharges;**
- 2. Settle any account in which I have any interest and pay or receive the balance of that account;**
- 3. Enter any safe deposit box or other place of safekeeping standing in my name alone or jointly with another, remove the contents and make additions, substitutions and replacements, and surrender or relinquish it;**
- 4. Borrow or loan money on such terms and with such security as my attorney-in-fact deems appropriate and execute all notes, mortgages and other instruments that my attorney-in-fact finds necessary or desirable;**
- 5. Do business with banks, brokers, and other financial institutions, including but not limited to, NationsBank, First Union National Bank, and successors thereof, endorse checks and drafts made payable to my order and to collect the proceeds (including**

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SCHEERERVILLE IN 46375

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any government checks), sign in my name checks on all accounts, withdraw funds from all accounts, (including any account in my name alone, in which I am a joint tenant, tenant by the entirety or in which I have named a pay-on-death beneficiary), and to open accounts in my name or in the name of such attorney, as my attorney-in-fact, use any credit card held in my name to make purchases, sign charge slips and cancel any credit card;

6. Redeem bonds issued by the United States Government or any of its agencies, any other bonds and any certificates of deposit or other similar assets belonging to me and purchase United States government bonds redeemable at par in payment of the federal estate tax imposed at my death;

7. Buy, sell, exchange or trade bonds, shares of stock, warrants, debentures, tangible personal property, or other assets, including furniture, equipment and supplies, execute all assignments, deeds, bills of sale, stock powers, or other instruments necessary or proper for transferring them to another, exercise stock and securities options, open and close accounts with securities dealers, pay commissions and fees in connection with transactions and give good receipts and discharges for all money payable in respect to them;

8. Invest the proceeds of any redemptions or sales and any other money in bonds, shares of stock or other securities or real estate, as my attorney-in-fact shall deem appropriate;

9. Vote at all meetings of stockholders of any company and otherwise act as my proxy in respect to my shares of stock or other securities or investments that now or hereafter belong to me, and appoint substitutes or proxies with respect to any of those shares of stock;

10. Create and contribute to an employee benefit plan (including a plan for a self-employed individual) for my benefit; select any payment option under any IRA or employee benefit plan in which I am a participant (including plans for self-employed individuals) or change options I have selected; make voluntary contributions to such plans; make "rollovers" of plan benefits into other retirement plans; apply for and receive payments and benefits; waive rights given to non-employee spouses under state or federal law; borrow money and purchase assets therefrom and sell assets thereto, if authorized by any such plans; make and change beneficiary designations, including revocable or irrevocable designations; consent or waive consent in connection with the designation of beneficiaries and the selection of joint and survivor annuities under any employee benefit plan;

11. Execute on my behalf any tax return (individual or joint) and file with Internal Revenue Service or any state agency, and act for me in any examination, audit, hearing, conference or litigation relating to taxes, including authority to file and prosecute refund claims, enter into any settlements, receive confidential information regarding tax matters for all periods, whether before or after the execution of this instrument, and make

any tax elections available to me on my behalf;

12. Buy, sell, convey, lease for any term, exchange, or otherwise acquire and dispose of all or any part of, and to improve, repair, maintain, pledge, lien or mortgage, my personal property and real estate, including my homestead property as defined in Article X, Sec. 4(c), Fla. Const. 1968 (as amended), for such considerations and upon such terms and conditions as my attorney-in-fact may see fit, execute, acknowledge and deliver all instruments conveying or encumbering property titled in my name alone as well as any property owned by me and any other person jointly, as a life tenant/remainderman, or as tenants by the entities, joint tenants with right of survivorship, or tenants in common;

13. Apply for and endorse and transfer certificates of title for any automobile, mobile home, or other motor vehicle, and represent that the title is free and clear of liens and encumbrances, except those set forth on the title or transfer agreement, and execute documents relating to insurance or any motor vehicle or mobile home owned by me;

14. Prosecute, defend and settle all actions or other legal proceedings affecting any of my assets in any manner;

15. Ask for, demand, sue for, recover, collect and receive all such sums of money, debts, dues, accounts, legacies, bequests, interest, dividends, annuities, employee benefits and insurance proceeds as are now or shall hereafter become due, owing, payable, or belonging to me and take all lawful means in my name or otherwise to compromise and agree for the same and give discharges and releases therefor;

16. Hire or discharge (with or without cause) employees including, but not limited to, physicians, nurses, attorneys, stockbrokers and domestics;

17. Employ and compensate any investment management service, financial institution, or similar organization to advise my attorney-in-fact and handle all investments and render all accountings of funds held on my behalf under custodial agency, or other agreements;

18. Exercise all powers even though my attorney-in-fact may also be acting individually or on behalf of any other person or entity interested in the same matters;

19. For estate planning purposes only: make gifts to my lineal descendants and to other individuals or entities, including gifts directly to institutions for tuition and medical costs, which my attorney-in-fact, in the exercise of absolute discretion, shall deem appropriate, and disclaim any property interest that I would otherwise receive by gift, devise or operation of law consistent with state and federal law;

20. Authorize my admission to a medical, nursing, residential, or other similar facility, and to execute any admission or other form or contracts required by such

facility for admission thereto; demand, obtain, review, and release to others medical records (or medical information if provided orally) or other documents protected by the patient-physician privilege, attorney-client privilege or any similar privilege, and execute any consents, releases, or other documents that may be required to obtain such records.

21. Purchase, maintain, surrender, collect or cancel (a) life insurance or annuities of any kind on my life or the life of any one in whom I have an insurable interest; (b) liability insurance protecting me and my estate against third party claims; (c) hospital insurance, medical insurance, Medicare supplement insurance, custodial care insurance and disability income insurance for me or any of my dependents; and (d) casualty insurance insuring assets of mine against loss or damage due to fire, theft or other commonly insured risk; pay all insurance premiums, **select any options under such policies, increase coverage under any such policy, borrow against any such policy, pursue all insurance claims on my behalf, adjust insurance losses; and the foregoing powers shall apply to private and public plans, including but not limited to Medicare, Medicaid, SSI and Worker's Compensation; designate and change beneficiaries of insurance policies insuring my life and beneficiaries under any annuity contract in which I have an interest; decrease coverage under or cancel any of the policies described herein; and receive and made such disposition of the cash value upon termination of any such policy as my attorney-in-fact shall deem appropriate;**

22. Obtain and/or maintain my eligibility for public benefits and entitlement programs, including but not limited to, Social Security benefits (SSA), Supplemental Security Income (SSI), the Old Age Survivor and Disability Insurance Program (OASDDI), the Medicaid Institutional Program (ICP), other Medicaid programs, in-home support services, and any additional, similar, or successor governmental programs; and for the sole purpose of Medicaid eligibility, to create an irrevocable income trust effective both during my lifetime and at my death and to fund this trust with my Social Security benefits, Supplemental Security Income, and all other pensions or retirement benefits, either public or private, with my attorney-in-fact serving as Trustee of this Trust;

23. Pay or demand all sums incurred on my account by any health care surrogate and/or attorney-in-fact for health care named by me in a duly executed document;

24. Transfer from time to time to the trustee or trustees of any revocable trust agreement or other trust created by me before or after the execution of this instrument, as to which trust I am, during my lifetime, a primary income and principal beneficiary, any and all of my cash, property or interests in property, including any rights to receive income from any source; and for this purpose to enter and remove from any safe deposit box of mine (whether the box is registered in my name alone or jointly with one or more other persons) any of my cash or property and to execute such instruments, documents and papers to effect the transfers described herein as may be necessary, appropriate, incidental or convenient; make such transfers absolutely fee simple or for my lifetime only with the remainder or revision (of the property so transferred) remaining in me so that such property will be disposed of at my death by my will or by the intestacy laws

of the state in which I shall die a resident; and exercise any right to withdraw pursuant to a demand power given under the terms and provisions of any irrevocable trust for which I am a beneficiary.

25. Elect or take against my spouse's will and conveyances of my deceased spouse and/or any other person, if appropriate, retain any property which I have the right to elect to retain; file petitions pertaining to the election; including petitions to extend the time for electing and petitions for orders, decrees and judgments; and take all other actions that my attorney-in-fact deems appropriate in order to effectuate the election; provided, however, that if any such actions by my attorney-in-fact require the approval of any court, my attorney-in-fact is authorized to seek such approval;

26. Open, read, respond to and redirect my mail; represent me before the U.S. Postal Service in all matters relating to mail service; establish, cancel, continue or initiate my membership in organizations and associations of all kinds, take and give or deny custody of all of my important documents, including but not limited to my will, codicils, trust agreements, deeds, leases, life insurance policies, contracts and securities and to disclose or refuse to disclose such documents; obtain and release or deny information or records of all kinds relating to me, any interest of mine or to any person for whom I am responsible; house or provide for housing, support and maintenance of any animals or other living creatures that I may own and to contract for and pay the expenses of their proper veterinary care and treatment;

27. Do anything regarding my estate, property and affairs that I could do myself, if not incapacitated, except that this power of attorney shall not be effective to make or amend my will or any codicil thereto or to direct withdrawals of principal from or to modify, terminate, or amend any living trust which I may have established during my lifetime.

Any third party to whom this power is presented may rely upon the authority granted to my attorney-in-fact under this power until the third party has received notice of my revocation of this power, the partial or complete termination of this power by adjudication of incapacity, suspension of this power by initiation of proceedings to determine incapacity, or my death. This notice must be in writing and delivered to the person or entity to be bound by such notice either by personal delivery or by any form of mail that requires a signed receipt. Any bank receiving such notice has fourteen (14) days after receipt to act upon such notice.

Any third party to whom this power of attorney is presented that has not received written notice as provided in the preceding paragraph may, but need not, require that my attorney-in-fact execute an affidavit stating, to the best knowledge and belief of my attorney-in-fact after diligent inquiry, that I am living, have not been adjudicated incapacitated, have not revoked the power, this power has not been partially or completely terminated, or suspended and no petition to determine incapacity or to appoint a guardian for me is

pending.

Any third party who acts in reliance upon the authority granted to my attorney-in-fact under this power and in accordance with the instructions of my attorney-in-fact shall be held harmless by me from any loss suffered or liability incurred as a result of actions taken prior to receipt of written notice of my revocation of this power, suspension, notice of a petition to determine incapacity, partial or complete termination, or my death. A person who acts in good faith upon any representation, direction, decision, or act of my attorney-in-fact is not liable to me or my estate, beneficiaries, or joint owners for such actions.

The powers conferred upon my attorney-in-fact extend to all of my right, title and interest in property which I may own in my sole name or in which I have an interest jointly with any other person, whether in an estate by the entirety, joint tenancy with right of survivorship or tenancy in common. This instrument is executed by me in the State of Florida, but it is my intention that this power of attorney is exercisable in any other state or jurisdiction where I have any property or interests in property. The singular includes the plural and the plural includes the singular.

Designation of Preneed Guardian: In the event of the institution of a proceeding for my incapacity, I direct that this instrument be filed with the clerk of the court in such proceeding and thereafter produced by same to evidence my expressed desire that my attorney-in-fact, then serving, serve as my guardian should I be adjudicated incapacitated. The foregoing designation of a "Preneed Guardian" is made pursuant to the provision of Florida Statutes Section 744.3045.

IN WITNESS WHEREOF, I have signed my durable power of attorney on September 15, 1999.

Signed in the presence of:

Sign: Alicia Gray Poole Richard E. Moore
RICHARD ELMER MOORE

Print: ALICIA GRAY POOLE

Sign: Donna I Sobel

Print: Donna I Sobel



STATE OF FLORIDA
COUNTY OF MANATEE

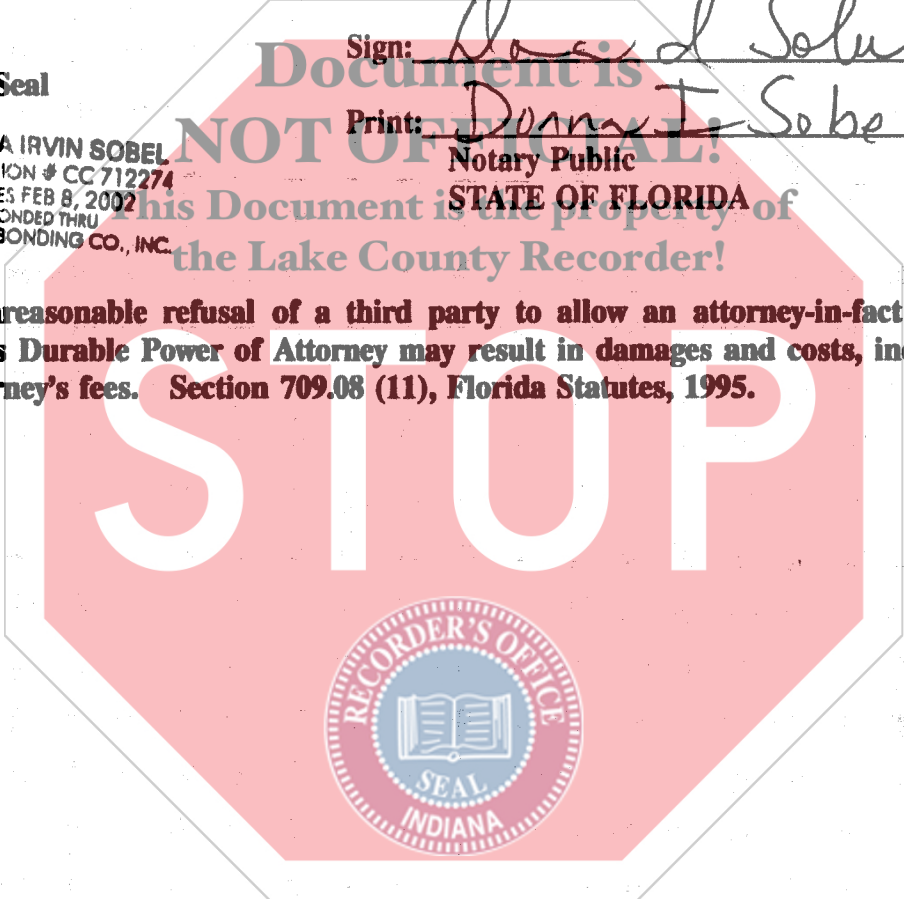
This durable power of attorney was acknowledged before me on September 15,
1999, by, **RICHARD ELMER MOORE**, who did not take an oath and who:

- is personally known to me.
- has produced a current Florida drivers license.
- has produced _____ as identification.

Notary Seal



Sign: Donna Irvin Sobel
Print: Donna Irvin Sobel
Notary Public
STATE OF FLORIDA



NOTICE: Unreasonable refusal of a third party to allow an attorney-in-fact to act pursuant to this Durable Power of Attorney may result in damages and costs, including reasonable attorney's fees. Section 709.08 (11), Florida Statutes, 1995.