

505047RT

# DURABLE GENERAL POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENTS:

By this Power of Attorney, I, **THELMA F. KELLY**, being at least eighteen (18) years of age and mentally competent, of Highland, Indiana, do hereby nominate, designate, constitute and appoint my daughter, **LANA RUETH**, as my attorney-in-fact. In the event Lana Rueth is unable to serve, then and in that event I nominate my daughter, **ELIZABETH PAULETTE CROFT**, as my attorney-in-fact. In the event Elizabeth Paulette Croft is unable to serve, then and in that event I nominate my daughter, **SHERRY Y. BOPP**, as my attorney-in-fact. In the event Sherry Y. Bopp is unable to serve, then and in that event I nominate, as my true and lawful attorney-in-fact, for me and in my name, place and stead for the purposes herein set forth.

This Power of Attorney shall only become effective upon my disability or incapacity. My disability or incapacity, for this purpose, may be established by the certificate of a qualified physician stating that I am unable to manage my affairs. My attorney-in-fact shall be fully protected and free from any liability for any payment, application or accumulation made or other action taken in reliance upon such a certificate. My disability or incapacity shall be deemed terminated when a qualified physician shall so certify.

A copy of this power shall be as effective as the original.

This Power of Attorney shall not be affected by subsequent disability or incapacity of the principal, or lapse of time, it being my intention to create a durable power of attorney.

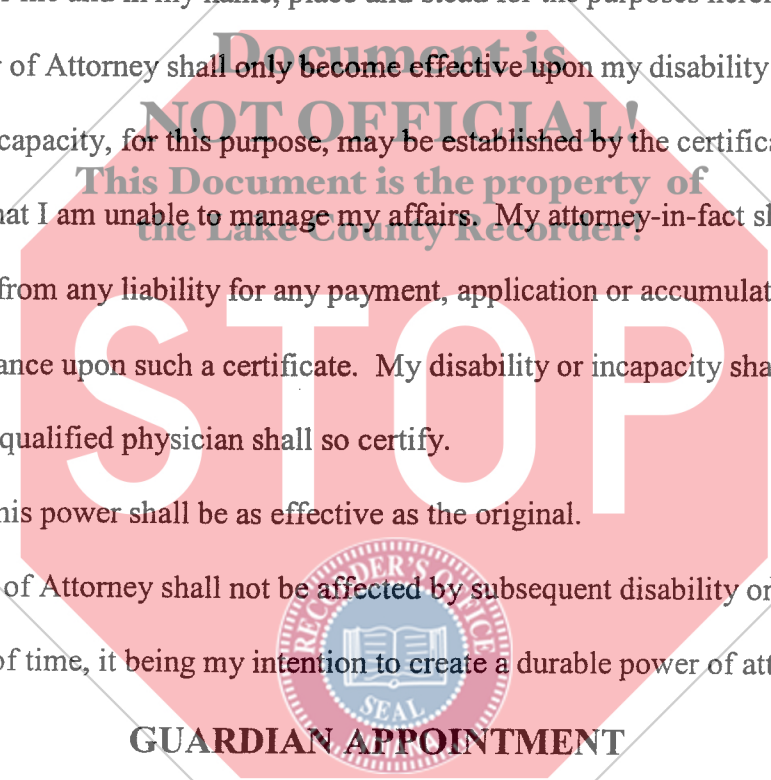
## GUARDIAN APPOINTMENT

If proceedings are ever begun for the appointment of a guardian, conservator, or like representative for my estate or person, it is my preference that whoever may then be serving or eligible to serve as my attorney-in-fact under this Power of Attorney be appointed to that office.

2005 046892

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2005 JUN - AM 10:14  
MICHAEL A. BEGOWN  
RECORDER



FILED

JUN - 6 2005

STEPHEN R. STIGLICH  
AUDITOR

18-  
LP  
CT

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To the extent I am permitted by law to do so, I herewith nominate, constitute and appoint my attorney-in-fact to serve as guardian, conservator and/or in any similar representative capacity of my estate and person, and if I am not permitted by law to so nominate, constitute and appoint, then I request in the strongest possible terms that any Court of competent jurisdiction, which may receive and be asked to act upon a Petition by any person to appoint a guardian, conservator or similar representative for me, give the greatest possible weight to this request.

### **PROPERTY AND FINANCIAL POWERS**

By this Durable Power of Attorney my attorney-in-fact shall have the power to obtain any and all information respecting my material affairs which I may at anytime be entitled to receive; to deal in any and every way and manner with intangible property; to make and endorse promissory notes; to make, draw, accept and endorse checks and bills of exchange; to waive demand, presentment, protest, notice of protest, and notice of non-payment of all such instruments; to make and execute any and all contracts, including contracts for convalescent, nursing home, and similar care for me; to purchase, sell, dispose of, assign and pledge notes, stocks, bonds and securities of all kinds; to exercise such voting and option rights as my ownership of any notes, stocks, bonds or securities may entitle me, either in person or by proxy; to represent me in all matters pertaining to the business of any corporation in which I may have any interest; to open, close, and maintain accounts of all kinds, in my name or in my name with others; to receive and to demand all sums of money, debts, dues, accounts, legacies, bequests, pensions, benefits, entitlements, interest, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me; to compromise the same; to make acquittances or other sufficient discharges for the same; to bargain for, contract concerning, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and

with personal property, including automobiles; to execute instruments necessary for the transfer of personal property of any kind or nature whatsoever; to execute instruments to effect the transfer of title to any motor vehicle owned by me; to purchase, sell, mortgage, convey and lease any interest in real estate, wherever located, of which I may be the owner now or hereafter; to execute and file all tax returns of any kind or nature whatsoever, whether the same be required by the United States of America, including federal income tax, and estate and gift tax, any political subdivision thereof or any foreign government, and to pay such taxes, to examine and request copies of any tax returns heretofore or hereafter filed by me or for and in my behalf, to enter into settlements and compromises respecting any tax, including federal income tax and federal estate and gift tax, and to enter into closing agreements with the Internal Revenue Service and waive assessment periods; to file and pursue claims and appeals respecting health insurance benefits; to prepare, execute and deliver applications for Social Security benefits, SSI benefits, and similar benefits; to deal in any and all particulars with the Social Security Administration regarding any benefits or claims for benefits, disability determination, or right to any benefit or entitlement; to deal in any and all particulars with Medicare agencies respecting any claim; to prepare, execute and deliver applications for Medicaid and similar benefits; to appeal any decision respecting such benefits or entitlements; to enter into, examine and remove any items from any safety deposit box in my name, either jointly or individually; to take all lawful means deemed desirable by my said attorney-in-fact to enforce my rights or to protect my property, including the institution, prosecution, compromise and settlement of legal proceedings, in my name or otherwise; and generally to transact any and all business for me of any kind or nature whatsoever; to do and perform each and every act and thing whatsoever requisite and necessary or proper to be done in all matters affecting my business or property, and with the same force

and effect as though I were personally present and acting for myself; and to carry out my personal responsibilities, whether legal or moral only.

### ESTATE PLANNING POWERS

My attorney-in-fact shall further have the power to transfer any of my property to the Trustee of any trust of which I am a Settlor and beneficiary for administration and disposition in accordance with the provisions of such trust or the provisions of any trust that I may later establish of which I am a beneficiary, and in particular, shall be authorized to exercise any and all powers reserved therein to me as Settlor or as Trustee; and to designate or elect that the income and/or principal of such a trust, or any trust such trust that I may establish, may be distributed to any one or more persons other than myself in accordance with the provisions of such trust; and that my attorney-in-fact shall have all powers and rights reserved under any such trust to me as Settlor; to create and fund irrevocable funeral trusts for myself and to designate a beneficiary or beneficiaries thereof (including my attorney-in-fact as such beneficiary) and for my spouse. To purchase United States Series EE and Series I Savings Bonds in any amounts or frequency, naming myself either as owner or co-owner with others. To renounce and disclaim any property or interest in property or powers to which for any reason and by any means I may become entitled, whether by gift, life insurance contract, testate or intestate succession, or otherwise; to release or abandon any property or interest in property or powers which I may now or hereafter own; and to exercise or decline to exercise any right to claim an elective share in any Estate or under any Will. In exercising such discretion, my attorney-in-fact may take into account such matters as shall include but shall not be limited to any reduction in estate or inheritance taxes on my Estate, and the effect of such renunciation or disclaimer upon persons interested in my Estate and persons who would receive the renounced or disclaimed property;

provided, however, that my attorney-in-fact shall make no disclaimer that is expressly prohibited by other provisions of this instrument.

It is my intention by executing this power of attorney to and I do hereby grant to my attorney in fact general authority with respect to all matters, and to and I do hereby authorize my attorney-in-fact to act as my alter ego, excepting, however, the power to make gifts, with respect to all possible matters and affairs affecting property owned by me that can be performed through an attorney-in-fact.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 16<sup>th</sup> day of February, 2005.

*Thelma F. Kelly*  
THELMA F. KELLY

STATE OF INDIANA )  
COUNTY OF LAKE )

**Document is NOT OFFICIAL!**  
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The undersigned, a Notary Public, certifies and witnesses that THELMA F. KELLY, personally known to me to be the same person whose name is subscribed to this Durable Power of Attorney, appeared before me in person and signed and delivered this Durable Power of Attorney as her free and voluntary act, for the uses and purposes set out therein.

Witness my hand and Notarial Seal this 16<sup>th</sup> day of FEBRUARY, 2005

*Karen S. Crum*  
KAREN S. CRUM

My Commission Expires: 9-18-06  
Resident of Lake County



THIS INSTRUMENT PREPARED BY: Andrew J. Fetsch (Attorney No.: 6817-45), Beckman, Kelly & Smith, 5920 Hohman Avenue, Hammond, Indiana 46320, Telephone: 219-933-6200

Return to: Lana Rueth 2665 Galahad Ct., Dyer, IN 46311