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MICHAEL A. SPDOWN
RECORDER

THIS FORM HAS BEEN PREPARED FOR USE IN THE STATE OF INDIANA BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS, AND INSERTION OF SPECIAL CLAUSES, MAY CONSTITUTE THE PRACTICE OF LAW, WHICH SHOULD ONLY BE DONE BY A LAWYER.

POWER OF ATTORNEY

OF

SHIRLEY ANN FAZIO

PRINCIPAL

TO

LISA PASTERNAK

ATTORNEY IN FACT

made under Indiana Code 30-5, as it may be amended, or replaced (the "Statute")

I, as principal, designate and name the person whose name appears above to be my attorney in fact.

A. **POWERS.** According to the Statute, an attorney in fact has a power granted under IC 30-5 if the power of attorney incorporated the power. Therefore, by referring to the language of the Statute describing powers, this Power of Attorney incorporates into it the powers here listed and confers general authority with respect to them:

- | | | |
|--|---|----------------|
| real property transactions; | [IC 30-5-5-2] fiduciary transactions; | [IC 30-5-5-10] |
| tangible personal property transactions; | [IC 30-5-5-3] claims and litigation; | [IC 30-5-5-11] |
| bond, share, and commodity transactions; | [IC 30-5-5-4] family maintenance; | [IC 30-5-5-12] |
| banking transactions; | [IC 30-5-5-5] benefits from military service; | [IC 30-5-5-13] |
| business operating transactions; | [IC 30-5-5-6] records, reports, and statements; | [IC 30-5-5-14] |
| insurance transactions; | [IC 30-5-5-7] estate transactions; | [IC 30-5-5-15] |
| beneficiary transactions; | [IC 30-5-5-8] | |
| gift transactions; | [IC 30-5-5-9] all other matters. | [IC 30-5-5-19] |

[Note: Though the Statute grants powers with respect to health care [IC 30-5-5-16 and IC 30-5-5-17] and delegation [IC 30-5-5-18], this Power of Attorney does not include them. Health care surrogate decision

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PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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makers' appointments have been made in separate advance directives concerning health care which have been executed at the same time as this Power of Attorney.]

Any power I do not wish to incorporate into this Power of Attorney I have deleted by lining out and writing my initials opposite the deletion. Any power to be modified or added I have modified or added as follows: to take such action or to apply such funds, without petition to or leave of court, for the purpose of conserving my property, benefiting my descendants and other relatives, and maximizing entitlements to federal and state medical, welfare, housing and other public programs, by all legitimate and proper means within the sound and trusted discretion of my attorney in fact, including, but not limited to, the power to make gifts to such relatives, friends and charities as would likely be the recipients of donations or gifts from me, make investments and purchases including the investment in annuities, bonds, stocks or other vehicles, and the purchase of real estate or other assets, to make revocable or irrevocable transfers into trusts for the benefit of myself or other said recipients, and to take such steps even though my attorney in fact is a member of the group that may benefit under such an estate plan.

IN FURTHERANCE OF THESE POWERS, I give my attorney in fact power to act on my behalf and to do for me and in my name those things which such attorney deems expedient to and necessary to effectuate the intent of this Power of Attorney, as fully as I could do for myself.

B. RESERVATION OF POWER TO ACT AND TO REVOKE. I reserve unto myself, however, the power to act on my own behalf and also to revoke or amend this Power of Attorney.

C. CHAPTERS OF STATUTE ALSO APPLICABLE. The following chapters of the Statute also apply to this Power of Attorney and acts performed under it:

Definitions	[IC 35-5-2]	Reliance	[IC 30-5-8]
General Provisions	[IC 30-5-3]	Liabilities	[IC 30-5-9]
Duties	[IC 30-5-6]	Termination	[IC 30-5-10].

D. LIABILITY OF ATTORNEY IN FACT. As permitted by IC 30-5-5-9, I, as principal, specifically provide that my attorney in fact is liable only if my attorney in fact acts in bad faith.

E. RELIANCE ON POWER OF ATTORNEY. In addition to provisions of the statute regarding reliance, the holding institution(s) named in this Paragraph E and the banking institution named in Paragraph F may rely on this Power of Attorney being in effect unless I shall have executed a proper instrument revoking or

changing it and delivered such instrument, or caused it to be delivered, to such person(s):

Holding Institution/Account Number: _____ Type of Account: _____

Any and all accounts held in my name in any and all financial institutions.

All other persons to whom this Power of Attorney may be delivered may rely on its being in effect unless I shall have executed a proper instrument revoking or changing it and recorded such instrument, or caused it to be recorded, in the Office of the Recorder of Lake County, State of Indiana.

F. **SAFE DEPOSIT BOX.** I have a safe deposit box, Number 511 located at
Bank One/Chase Dyer Banking Center, Dyer, Indiana.
(BANKING INSTITUTION) (BRANCH) (CITY)

I give my attorney in fact power to enter or have access to that box and to any other safe deposit box in my name either individually or jointly held with any other person. I give the power also to remove property from such box or add property to it, and to relocate such box within the banking institution or at another. Powers here given are in addition to those incorporated into this Power of Attorney by reference.

G. **DURATION OF POWER OF ATTORNEY.** SELECT ONLY ONE OF THE FOLLOWING PROVISIONS BY STRIKING ALL INAPPLICABLE PROVISIONS: [in case of insufficient striking, provision a applies]:

a. **This power of Attorney is not terminated by my incapacity.**

b. ~~This power of Attorney terminates on _____ at _____

(DATE) (TIME)~~

c. ~~This Power of Attorney terminated upon my incapacity or on _____

(DATE)~~

at _____, whichever first occurs.
(TIME)

H. **REVOCATION OF PRIOR POWERS.** I do revoke all powers of attorney I signed before the date of the Power of Attorney. Revocation does not affect the validity of an act performed under a prior Power of Attorney. In case of failure to strike, prior powers are revoked.

I. **GUARDIAN.** If protective proceedings for my person or for my estate, or for both, are commenced, I nominate Lisa Pasternak as guardian of my person, and Lisa Pasternak as guardian of my estate, to serve in each case without bond as may be permitted by law.

J. **SUCCESSOR ATTORNEY IN FACT.** As successor to my attorney in fact, I designate and name Michael Fazio. Should Michael be unwilling or unable to serve as successor to my attorney in fact, I designate and name Brian Fazio as such successor to my attorney in fact. Any such successor shall become my attorney in fact when the person(s) first designated and named has failed or ceased to serve as specified in the Statute, or has declined or become unable to serve.

By giving me written notice while I am not incapacitated, my attorney in fact may resign or decline to serve. During a period of my incapacity, my attorney in fact shall continue to serve until a successor attorney in fact is authorized to act under this Power of Attorney, whether designated and named in this Power of Attorney as such successor or selected by a court of competent jurisdiction to be such successor, or is appointed as my guardian.

K. **BINDING EFFECT.** Any act or thing performed by my attorney in fact under this Power of Attorney binds me and my successors in interest, as the Statute provides.

Signed this 24th day of August, 2005, in 4 counterparts, each of which shall be considered an original.

Counterpart No. 2

Shirley Ann Fazio
SHIRLEY ANN FAZIO, PRINCIPAL

PRINCIPAL'S SOCIAL SECURITY NUMBER

2749 Howard Castle Drive

PRINCIPAL'S STREET OR OTHER ADDRESS

Dyer, Indiana 46311

PRINCIPAL'S CITY, STATE AND ZIP CODE

STATE OF INDIANA, COUNTY OF LAKE SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 24th day of August, 2005, personally the principal, **SHIRLEY ANN FAZIO**, who signed this Power of Attorney, and acknowledged the execution of it, as the voluntary act and deed of the principal, for the uses and purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My Commission Expires: 02/11/08

America L. McAlpin
NOTARY PUBLIC'S SIGNATURE

County of Residence: Lake

AMERICA L. MCALPIN
Notary Public, State of Indiana
County of Lake

My Commission Expires Feb 11, 2008
NOTARY PUBLIC'S NAME,
PRINTED OR TYPED

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This Document is the property of the Lake County Recorder!

MAIL TO:
Mrs. Shirley Ann Fazio
2749 Howard Castle Drive
Dyer, Indiana 46311

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

America L. McAlpin
AMERICA L. McALPIN, Attorney at Law



This Document Prepared By: America L. McAlpin, Attorney at Law, 2646 Highway Avenue, Suite 117, Highland, Indiana 46322, Telephone (219) 689-9166.