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STATE OF FLORIDA  
LAKE COUNTY  
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MICHAEL J. CLAYMAN  
RECORDER

This

**PROPERTY POWER OF ATTORNEY**

prepared for

**Document is**

**PATTY J. CLAEYS**

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SEP 16 2011

**PEGGY HOLINGA KATONA**  
LAKE COUNTY AUDITOR

**STOP**



*Law Offices*

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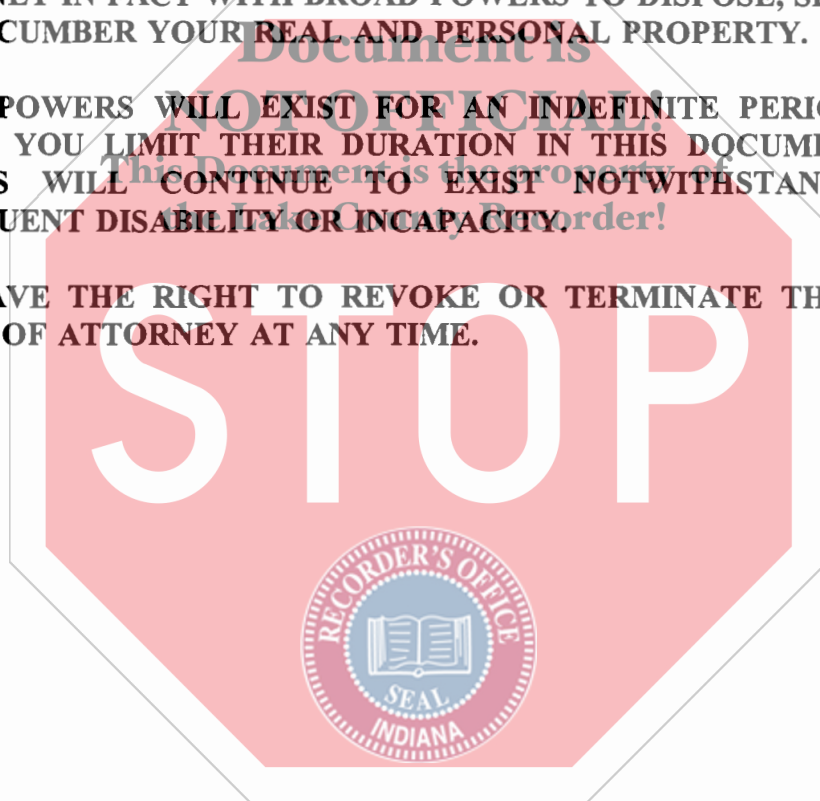
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## Durable Power of Attorney

### WARNING TO PERSON EXECUTING THIS DOCUMENT

**THIS IS AN IMPORTANT LEGAL DOCUMENT. IT CREATES A DURABLE POWER OF ATTORNEY THAT BECOMES EFFECTIVE IMMEDIATELY BUT IS INTENDED TO BE USED ONLY IN THE EVENT OF YOUR INCAPACITY AS HEREAFTER SET FORTH. BEFORE EXECUTING THIS DOCUMENT YOU SHOULD KNOW THESE IMPORTANT FACTS:**

- 1. THIS DOCUMENT MAY PROVIDE THE PERSON YOU DESIGNATE AS YOUR ATTORNEY IN FACT WITH BROAD POWERS TO DISPOSE, SELL, CONVEY AND ENCUMBER YOUR REAL AND PERSONAL PROPERTY.**
- 2. THESE POWERS WILL EXIST FOR AN INDEFINITE PERIOD OF TIME UNLESS YOU LIMIT THEIR DURATION IN THIS DOCUMENT. THESE POWERS WILL CONTINUE TO EXIST NOTWITHSTANDING YOUR SUBSEQUENT DISABILITY OR INCAPACITY.**
- 3. YOU HAVE THE RIGHT TO REVOKE OR TERMINATE THIS DURABLE POWER OF ATTORNEY AT ANY TIME.**





me in or by any right, title, ways or means howsoever, and upon receipt thereof or of any part thereof to make, sign, execute, and deliver such receipts, releases or other discharges for the same as my attorney-in-fact shall think fit or be advised. By way of illustration, and not by way of limitation, my attorney-in-fact shall be empowered to enter and to make withdrawal, either in whole or in part, from any safe deposit box.

(c) To commence, prosecute, discontinue, or defend all action or other legal proceedings in any way affecting my estate or any part thereof or affecting any matter in which I or my estate may be in any way concerned; and to have, sue and take all lawful ways and means and legal and equitable remedies, procedures, and writs in my name for the collection, recovery of any item or matter in which I have or may acquire an interest, and to compromise, settle, and agree for the same and to make, execute, and deliver for me and in my name all endorsements, acquittances, releases, receipts, or other sufficient discharge for the same.

(d) To lease, purchase, exchange, and acquire, and to bargain, contract, and agree for the lease, purchase, and exchange and acquisition of, and to take, receive, and possess any real or personal property whatsoever, tangible or intangible, or any interest therein, on such terms and conditions and under such covenants as my attorney-in-fact shall deem proper.

(e) To enter into and upon all of my real property, and to let, manage, and improve the same or any part thereof, and to repair or otherwise improve or alter, and to insure any buildings or structures thereon.

(f) To sell, either at public or private sale, or exchange any part or parts of my real estate or personal property for such consideration and upon such terms as my attorney-in-fact shall think fit, and to execute and deliver good and sufficient deeds or other instruments for the conveyance or transfer of the same, with such covenants of warranty or otherwise as my attorney-in-fact shall see fit, and to give receipts for all or any part of the purchase price or other consideration.

(g) To engage in and actively transact any and all lawful business of whatever nature or kind for me and in my name.

(h) To sign, endorse, execute, acknowledge, deliver, receive and possess such application, contracts, agreements, options, covenants, deeds, conveyances, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits or certificates of deposit in banks, savings and loans, or other institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, judgments, liens, security agreements, and other debts and obligations, and other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted. By way of illustration, and not by way of limitation, my attorney-in-fact shall be empowered to exercise any and all rights to ownership on



insurance policies upon the life of any person or persons (other than any policies on the life of my attorney-in-fact), annuities, pension and retirement benefits, stock bonus plan and profit-sharing plan benefits, and stock options, including specifically the right to change the beneficiary thereon to any person other than my said attorney-in-fact.

(i) To assign and convey all or any part of my assets (consisting of any property, real, personal, or mixed, tangible or intangible, or whatsoever kind and wheresoever located and whensoever acquired) into such trust or trusts as my attorney-in-fact shall deem proper irrespective of whether said trust is now in existence or hereinafter established. My attorney-in-fact shall be authorized to establish any such trust, on such terms as my attorney-in-fact shall deem to be in my best interests.

(j) To deposit any monies which may come to my attorney-in-fact as such attorney-in-fact with any bank or banker or other person, either in my or my attorney-in-fact's own name, and to employ or spend as my attorney-in-fact shall think fit any of such money or any other money to which I am entitled which now is or shall be so deposited; to withdraw, in the payment of any debts, or interest payable by me or taxes, assessments, insurance, and expenses due and payable or to become due and payable, on account of my real and personal estate, or in or about any of the purposes herein mentioned or otherwise for my use and benefit; or to invest in my attorney-in-fact's own name or any nominee in any stocks, shares, bonds, securities, or other property, real or personal, as my attorney-in-fact may think proper, and to receive and give receipts for any income or dividend arising from such investments, and to vary or dispose of such investments. By way of illustration, and not by way of limitation, such authority shall include the power to purchase government obligations which are redeemable in payment of taxes.

(k) To borrow any sum or sums of money on such terms and with such security, whether real or personal property, as my attorney-in-fact may think fit, and for that purpose to execute all promissory notes, bonds, mortgages, deeds of trust, security agreements, and other instruments which may be necessary or proper.

(l) To engage, employ, compensate and dismiss any agents, clerks, servants, attorneys at law, accountants, investment advisors, custodians, or other persons as my attorney-in-fact shall think fit in the performance of the powers granted my attorney-in-fact herein. This authority shall include employment of firms and companies in which my attorney-in-fact owns an equity interest and in which my attorney-in-fact is otherwise pecuniarily interested.

(m) To vote at the meetings of stockholders or other meetings of any corporation or company, or otherwise to act as my attorney-in-fact or proxy in respect of any stocks, shares, or other instruments now or hereafter held by me therein, and for that purpose to execute any proxies or other instruments.

(n) To exercise any powers and any duties vested in me, whether solely or jointly, with any other or others as personal representative, administrator, or trustee, or in any other fiduciary capacity, so far as such power or duty is capable of validly being delegated.

(o) To make gifts and to institute gift programs to such activities and persons as my attorney-in-fact shall deem appropriate.

(p) In general, to do all other acts, deeds, matters, and things whatsoever in or about my estate, property, and affairs, or to concur with persons jointly interested with myself therein in doing all acts, deeds, matters, and things herein, either particularly or generally described, as fully and effectually to all intents and purposes as I could do in my own person if personally present and competent.

(q) To prepare, sign and file federal, state or local, income, gift or other tax returns of all kinds, claims for refund, requests for extensions of time, petitions to the tax court or other courts regarding tax matters and any and all other tax related documents, including, without limitation, receipts, offers, waivers, consents (including, but not limited to, consents and agreements under Internal Revenue Code Section 2032A, or any successor section thereto), powers of attorney, closing agreements; to exercise any elections I may have under federal, state or local tax law; and generally to act in my behalf in all tax matters of all kinds and for all periods before all persons representing the Internal Revenue Service and any other taxing authority, including receipt of confidential information and the posting of bonds, and to represent me in all such proceedings.

(r) To make any election or election and agreement referred to in the Florida Probate Code, Florida Statutes, Chapters 731 through 735.

**3. Construction.** This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, acts, rights, or powers herein does not limit or restrict, and it is not to be construed or interpreted as limiting or restricting the general powers herein granted to my attorney-in-fact.

**4. Revocation.** This general power of attorney revokes any previous powers of attorney granted by me. This general power of attorney may be voluntarily revoked only by me at any time either by my written revocation delivered to my attorney-in-fact or by my written revocation entered of record in the deed records of Pinellas County, Florida. Any grant of a Durable Power of Attorney made by me subsequent to the date of execution of this Durable Power of Attorney shall revoke this Power, unless the subsequent Durable Power contains a statement to the contrary and specifically refers to this Durable Power of Attorney by its date.

**5. No Bond Required.** No attorney-in-fact shall be obligated to furnish bond or other security.

**6. Compensation.** My attorney-in-fact, and any successors, shall be entitled to reasonable compensation for services rendered.

7. **Limitations.**

- (a) Any authority granted to my attorney-in-fact herein shall be limited so as to prevent this general power of attorney from causing my attorney-in-fact to be taxed on my income (unless my attorney-in-fact is my spouse) and from causing my assets to be subject to a general power of appointment by my attorney-in-fact, as that term is defined in Section 2041 of the Internal Revenue Code or any successor section thereto.
- (b) Notwithstanding any other provision in this Power, my Attorney-in-Fact shall not have any of the following powers related to property management:

i. **Trusts**

To exercise any of the powers of the Trustee under an irrevocable trust of which my Attorney-in-Fact is a Trustor and of which I am a Trustee.

ii. **Obligations of Attorney-in-Fact**

To use my property to discharge the legal obligations of my Attorney-in-Fact, including but not limited to the support of the dependents of my Attorney-in-Fact, except for those dependents to whom I also, along with my Attorney-in-Fact, owe a duty of support.

iii. **Insurance on Life of Attorney-in-Fact**

To exercise any incident of ownership over any insurance policy that I own and that insures the life of my Attorney-in-Fact.

8. **Confirmation of Acts of Attorney-in-Fact.** I hereby ratify and confirm all that my attorney-in-fact or his successors shall lawfully do or cause to be done by virtue of this general power of attorney and the rights and powers granted herein.

9. **Indemnification of Acts of Attorney-in-Fact While Carrying Out Authority.** I hereby bind myself to indemnify my attorney-in-fact and any successor who shall so act against any and all claims, demands, losses, damages, actions, and causes of action, including expenses, costs, and reasonable attorneys' fees which my attorney-in-fact at any time may sustain or incur in connection with carrying out the authority granted in this general power of attorney, unless a result of my attorney-in-fact's willful misconduct or gross negligence.

10. **Headings.** The headings used throughout this instrument have been inserted for administrative convenience only, and do not constitute matter to be construed in interpreting this general power of attorney.



IN WITNESS WHEREOF, I have executed this Durable Power of Attorney on 5-17-99.

WITNESS:

Deborah L. Domka  
Print Name: Deborah L. Domka

Patty J. Claeys  
PATTY J. CLAEYS

Mary Ann McCullum  
Print Name: Mary Ann McCullum

The foregoing Durable Power of Attorney was acknowledged before me on 5-17-99, by PATTY J. CLAEYS, [ ] who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification.

[Notary Seal]

Deborah L. Domka  
Notary Public  
Deborah L. Domka  
My Commission Expires \_\_\_\_\_



**"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."**

Kim Schultz

After recording return to:  
Mark J. Claeys  
308 S. Windmill Trail  
Greenwood, IN 46142

