### **DURABLE POWER OF ATTORNEY**

I, RONALD J. MATY, SR., being at least 18 years of age and mentally competent, do hereby designate and appoint LYNETTE M. MATY my true and lawful attorney-in-fact, or agent.

If my agent named above is unable or unwilling to act as agent then RONALD J. MATY. JR. and JULIE A. MUNOZ shall act together with all rights and responsibilities given to the original agent. If either of my agents be unable or refuse to serve, the other agent shall serve alone. Bond shall not be required of my agent(s).

I. **POWERS** I give to my attorney-in-fact the powers herein specified to be used on my behalf. I am incorporating by reference herein those powers which comply with my wishes in accordance with the manner prescribed by Ind. Code §30-5-5. The powers given herein shall be considered limited so that my attorney-in-fact shall not have any power which would cause my attorney-in-fact to be treated as the owner of any interest in my property and which would cause that property to be taxed as owned by the attorneyin-fact, it being my intention not to grant any beneficial interests in my estate by this instrument. My attorney-in-fact shall have the following powers:

Real Property. Authority with respect to real property transactions pursuant to Ind. Code §30-5

to tangible personal property pursuant to Tangible Personal Property Ind. Code §30-5-5.

Bonds, Commodities and Shares. Authority with respect to bonds, commodities and shares pursuant to Inde Code \$30-52514. This activities shall exclude any power to P purchase commodities, any power to sell short or to initiate a margin transaction and any power to purchase put or call options. This authority shall include the power to purchase United States Government obligations which are redeen to be a state of the sta par value in payment of estate taxes imposed by the United States Government

Retirement Plans. General authority with respect to retirement plans pursuant to Ind. Code 30- ~ 5-5-4.5.

Banking. Authority with respect to banking transactions pursuant to Ind. Code §30-5-5-5.

Business. Authority with respect to business operating transactions pursuant to Ind. Code §30-5-

Insurance. Authority with respect to insurance has a sactions pursuant to Ind. Code §30-5-5-7 providing that references in Ind. Code §30-5-5-7(a)(2) and (3) to "Section 8" shall refer to "Section 9." This authority shall include the right to change, directly or indirectly, the beneficiary of any policy insuring my life to any natural person. This authority shall include full power to apply for and otherwise deal with medicare and medicaid benefits.

hon de HB

#### Durable Power of Attorney of RONALD J. MATY, SR., Page 2

- Beneficiary. Authority with respect to beneficiary transactions pursuant to Ind. Code §30-5-5-8. My Agent shall have the power to treat all interests which I may have in employee benefit trusts as described in IC 30-4-3-2(c), nonqualified deferred compensation arrangements and Individual Retirement Accounts and Annuities as beneficiary transactions coming within the scope of IC 30-5-5-8.
- Gifts. Authority with respect to gift transactions pursuant to Ind. Code §30-5-5-9; This authority shall include the power to make gifts to third parties or to the agent(s) as individual(s), as the agent(s), in the sole discretion of the agent(s)s, deem appropriate.
- Fiduciary. Authority with respect to fiduciary transactions pursuant to Ind. Code §30-5-5-10.
- Claims and Litigation. Authority with respect to claims and litigation pursuant to Ind. Code §30-5-5-11.
- Family Maintenance. Authority with respect to family maintenance pursuant to Ind. Code §30-5-5-12.
- Military Service Benefits. Authority with respect to benefits from military service pursuant to Ind. Code §30-8-5-13 including the full power to apply for benefits from and otherwise deal with matters concerning the Veterans Administration.
- Records, Reports, and Statements. Authority with respect to records, reports, and statements pursuant to Ind. Code \$30-5-5-14; including the power to execute on my behalf any specific power of attorney lequived by any taking authority which is needed to allow my attorney-in-fact to act on my behalf before that taxing authority on any return or issue.
- Estate Transactions. Authority with respect to estate transactions pursuant to Ind. Code §30-5-5-15.
- Health Care Decisions. General authority with respect to health care, including the withholding or withdrawal of health care in accordance with I.C. 30-5-5-16 and I.C. 30-5-5-17.

I authorize my health care representative to make decisions in my best interest concerning withdrawal or withhelding of health care. If at any time, based on my previously expressed preferences and the diagnosis and prognosis, my health care representative is satisfied that care is not or would not be beneficial, or that such health care is or would be excessively burdensome, then my health care representative may express my will that such health care be withheld or withdrawn and may consent on my behalf that any or all health care be discontinued or not instituted, even if death may result.

#### Durable Power of Attorney of RONALD J. MATY, SR., Page 3

My health care representative must try to discuss this decision with me. However, if I am unable to communicate, my health care representative may make such a decision for me, after consultation with my physician or physicians and other relevant health care givers. To the extent appropriate, my health care representative may also discuss this decision with my family and others, to the extent they are available.

Delegate. Authority with respect to delegating authority pursuant to Ind. Code §30-5-5-18.

All Other Matters. Authority with respect to all other matters pursuant to Ind. Code §30-5-5-19.

- II. GUARDIAN If it becomes necessary to secure the appointment of a guardian of my person or estate or if protective proceedings are filed on my behalf, I hereby request the appropriate probate court to appoint my attorneys-in-fact as my guardians or as the persons to act on my behalf, in the order in which their names appear above.
- III. FEES My attorney-in-fact shall be entitled to a fee for services provided as my attorney-in-fact.
- IV. LIABILITY AND INDEMNITY My attorney-in-fact shall only be liable for actions undertaken in bad faith; provided, however, my attorney in-fact shall be liable for the negligent exercise of the powers described herein if the exercise of such power involves self-dealing. I hereby fafify and confirm all that my attorney-in-fact shall do by virtue hereof. Further, I agree to indemnify and hold harmless any person who, in good faith, acts under this Power of Attorney of transacts pusiness with my attorney-in-fact in reliance upon this Power, without actual knowledge of its revocation.
- V. EFFECTIVE DATE AND INCAPACITY
  - A. This power of attorney shall be effective as of the date it is signed.
  - B. My disability or incompetence shall not affect or terminate this Power of Attorney.
  - C. This power of attorney shall remittate upon the execution and recordation with the Recorder's Office of the county of my domicile a written revocation thereof.

VI. REVOCATION

I hereby reserve the right to revoke this power of attorney at any time.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of December, 2006.

RONALD I MATY SR. J SR

# Durable Power of Attorney of RONALD J. MATY, SR., Page 4

STATE OF INDIANA	)
	)
COUNTY OF PORTER	)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared RONALD J. MATY, SR. and acknowledged the execution of the above and foregoing Durable Power of Attorney. IN WITNESS WHEREOF, I do hereby set my hand and notarial seal as of the 20<sup>th</sup> day of December, 2006.

WILLIAM J. GREEN, Public Notary My Commission Expires 12/26/2007 Resident of Johnson County

This instrument prepared by William J. Green, GREEN LAW OFFICES, 15 N. Franklin Street, Suite 235, Valparaiso, IN 46383. (219) 548-8787.



## ADDENDUM TO GENERAL DURABLE POWER OF ATTORNEY

- I, RONALD J. MATY, SR., of the County of Lake, State of Indiana, on the 20<sup>th</sup>day of December, 2006, executed a General Durable Power of Attorney naming LYNETTE M. MATY, presently of the City of Lake, State of Indiana, as my true and lawful attorney-in-fact, or agent. In furtherance of the power of and authority conferred under that instrument, I now execute this Addendum to said General Durable Power of Attorney, and with its execution now grant to my above-named attorney-in-fact or agent, the following additional powers. None of these powers shall be executed without my agent first consulting with counsel knowledgeable about public and private benefits that may be available to me.
- 1. To conduct financial and estate planning on my behalf, considering factors related both to my disability and/or my demise, and in furtherance of the exercise of this power, I specifically confer upon my agent or attorney-in-fact by way of example and not by way of limitation, authority to engage in the following acts:
  - A. To make a gift or gifts at any time or times of any or all of my assets, cash, property or interests in property, including any right to change the beneficiary on any policy of life insurance I may own, to those persons and in the same proportions as set forth either in the residuary clause of my Last Will and Testament or if none, then in the laws of intestate succession of the State in which I am domiciled at the time of such gift, and without regard to any restrictions on aggregate yearly value of a gift to an individual as set forth in EC 30-5+5-9. To the extent that my attorney-in-fact is a beneficiary of the residue of my estate as set forth in my Last Will and Testament, or if none, Tanisell of mine as determined under that taws of intestate succession of the State in which I am domiciled at the time of such gift, then my attorney-in-fact is specifically authorized to receive a proportionate share of any gift made of my assets.
  - B. The creation of any trust or trusts, provided that the terms and provisions of said trust or trusts provide for the distribution of the trust assets upon my demise in the same manner as that set forth in my Last Will and Testament, or if none, in the intestate laws of succession of the State in which I am domiciled at the time such trust is created.
  - C. To make a transfer pursuant to 1.C 30-2-8.5, commonly known as the Indiana Uniform Transfers to Minors Act, or under any similar law of another jurisdiction, provided that the minor beneficiary of such transfer is a beneficiary under the residuary clause of my Last Will and Testament, or if none, is an heir of mine under the laws of intestate succession in the state in which I am domiciled at the time of such transfer and further provided that the gift or transfer made is in proportion to gifts or transfers made to the remaining beneficiaries named under the residuary clause of my Last Will and Testament, or if none, the scheme of distribution under the laws of intestate succession in the state in which I am domiciled at the time of such transfer.

- D. To 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, estate or intestate succession; to release or abandon any property or powers which I may now or hereafter own, including any interests in or rights over trusts (including the right to alter, amend, revoke, or terminate). In exercising such discretion, my attorney-infact may take into account such matters as shall include, but shall not be limited to, any reduction in testate or inheritance taxes on my estate, the effect on my public benefits to which I may be or may become entitled, and the effect of such renunciation or disclaimer upon persons who receive the renounced or disclaimed property.
- E. The use of any financial and estate planning devices I, myself, might use were I personally present, competent and acting in my own behalf.

The estate and financial planning powers herein conferred are for the purpose of providing for my spouse and other beneficiaries of my estate plan, reducing tax liability, or preserving assets for use by my spouse or other beneficiaries of my estate plan in the event I require long-term health care.

In carrying out the powers granted in this paragraph, my attorney-in-fact shall be guided by the standard that the estate planning powers are designed, in part, for the preservation of my assets and shall exercise such powers in such a way as to provide for my best interests and the best interests of the beneficiaries of my estate plan. My attorney-in-fact may exercise any estate planning power without any prohibition against self-dealing;

- This Document is the property of

  To purchase any type of property that is considered to be an exempt resource under 405 IAC 2.3-15; and
- 3. To purchase, from a reputable insurance company, a non-assignable, non-cancelable single premium, irrevocable straight life commercial annuity for my life, which annuity shall provide monthly installment payments either to me or to my spouse at the discretion of my attorney-in-fact and may provide that if I die before the initial cost of the annuity has been paid, then the remaining balance shall be distributed to the same beneficiaries of my Last Will and Testament in effect at the time of the purchase of such annuity, or if none, to my heirs at law as determined, at the time of my death, under the intestate laws of the state in which I die domiciled.

To the extent that the terms and provisions of this Addendum to General Durable Power of Attorney are inconsistent with the terms and provisions of my General Durable Power of Attorney, then the terms and provisions of the General Durable Power of Attorney shall deem to be superseded by the terms and provisions of this Addendum which shall control. To the extent that the terms and provisions of the initial General Durable Power of Attorney are not inconsistent with the terms and provisions of this Addendum, said powers are now ratified and shall remain in full

force and effect.

If my agent named above is unable or unwilling to act as agent then RONALD J. MATY, JR. and JULIE A. MUNOZ shall act together with all rights and responsibilities given to the original agent. If either of my agents be unable or refuse to serve, the other agent shall serve alone.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20<sup>th</sup> day of December, 2006.

Roull Maty SR RONALD J. MATY, SR.

STATE OF INDIANA

) SS:

COUNTY OF PORTER

Before me, a Notary Public in and for said County and State, personally appeared Ronald J. Maty, Sr., who acknowledged the execution of the foregoing Addendum to General Durable Power of Attorney.

WITNESS my faird and botarial ceat, in the payor Decymber, 2006.

the Lake County Recorder!

William J. Green, Notary Public
My Commission Expires 12/26/2007

Resident of Johnson County

This instrument prepared by Green Law Offices, 15 N. Franklin Street, Suite 235, Valparaiso,

Indiana, 46383 (219) 548-8787.

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY THAT I HAVE TAKEN REASON-ABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."

PREPARED BY: