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## **DURABLE POWER OF ATTORNEY**

KNOW ALL PERSONS BY THESE PRESENTS THAT I, Courtney R. Birch a/k/a Courtney Birch, do hereby make, constitute and appoint Brian K. Birch a/k/a Brian Birch, my true and lawful attorney-in-fact for me and in my name to represent me in matters concerning the sale or transfer by me of certain real property, along with fixtures and personal property located therein, situated in the County of Lake, State of Indiana, more commonly known as 10419 Rolling Meadows Ln., Dyer, IN 46311 and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With respect to the above described property, said attorney-in-fact is hereby authorized to do any and all of the following:

- 1. To bargain, agree, contract to purchase, complete such purchase and to receive and take possession of the above described real estate and personal property.
- 2. To encumber the above described real estate and personal property and to execute and sign and acknowledge such evidences of debt, promissory notes, security documents, mortgages, deeds, deeds of trust, covenants, agreements, hypothecations, reconveyances and all other loan and security documents, including, without limitation, Uniform Commercial Code Security agreements and financing statements, and securing performance and payment of all loan obligations as may be required or requested by the lender of funds for such purchase and those in addition thereto, if any, required by the Escrow Agent supervising the closing of such loan and purchase, all, upon such terms, conditions and provisions as my attorney-in-fact shall deem fit.
- 3. To enter into and to indebt by loan agreement(s) and escrow agreement(s) in connection with such purchase, and for the purpose of executing a second or equity mortgage upon such terms, for such rate of interest and load repayment terms, and providing for such security and collateral as my attorney in fact shall deem it.
- 4. To sign, execute and deliver, and as necessary to acknowledge and swear to, all closing statements certificates, written statements and acknowledgments and all other forms required or requested by any such lender, or any governmental or private agency, firm or corporation insuring or guaranteeing repayment of such loan; or by any governmental agency, firm or corporation which may purchase said loan.
- 5. To make, sign, execute and deliver such sales agreements, warranty deeds, quitclaim deeds, land contracts; bills of sale, affidavits, commitments, releases, closing statements, governmental forms and other documents as may be deemed necessary or expedient to consummate the sale and transfer of the above described real estate and personal property.
- 6. To insure or cause insurance to be taken out on the building, structures and personal property being purchases, at such premium, for such period and covering such risks and underwritten by such insurer as my attorney-in-fact shall deem fit.
- 7. To cause title insurance or other evidence of title to be issued assuring or certifying the status of the title to the real estate being purchased, as required by the lender, by such title insurance underwriter, for such amount and insuring such risks as my attorney-in-fact shall deem fit.
- 8. To appoint and authorize any other person or corporation to exercise the power and authority for and on behalf of my attorney-in-fact should said attorney-in-fact not so available to exercise such power.
- 9. To perform all those functions and activities set forth and authorized in L.C. 30-5-5-2.

Said attorney-in-fact shall have the power to receive any and all sums of money or payments due or to become due as a result of the sale of said real estate and to deposit the proceeds thereof with any financial institution.

Said attorney-in-fact shall have full power and authority to do and perform all acts necessary or expedient to consummate the purchase and transfer of said property to all intents and purposes as I might or could do if personally present, and I hereby ratify and confirm all that said attorney-in-fact, or his or her substitute, shall do or cause to be done. Provided, however, that I retain full power to revoke this power of attorney and/or substitute another person or persons as my attorney-in-fact.

This power of attorney is to construed and interpreted as a Durable Power of Attorney. This Durable Power of Attorney shall not be affected by my later disability or incapacity, except as provided by statute, it being my intent that this Durable Power of Attorney shall be exercisable and continue in full force and effect notwithstanding my subsequent mental or physical disability or incapacity, and this Durable Power of Attorney shall be valid until the date of , or until I die, am judicially declared incompetent, or revoke this Durable Power of Attorney by recording a written instrument to that effect in the Office of the Recorder of Lake County, Indiana, whichever event shall occur first.

Power of Attorney (Durable) IND1081.doc/Updated: 07.26.17 FIDELTY NATIONAL Page 1

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## **DURABLE POWER OF ATTORNEY**

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on October 16 4, 20	017.
Courtney R. Birch a/k/a Courtney Birch	
STATE OF TULINOIS	,
COUNTY OF MONROE	
Before me, a Notary Public in and for said County and State, personally appeared Courtney R. B who acknowledged the execution of the foregoing instrument, who acknowledged the foregoing i free act and deed.	
Witness my hand and Notarial Seal this	
Signature: Canally Kayning OT OFFICIAL!  Printed: Control S. KAYNING TOFFICIAL!  Resident of: Mongo The Theodocument is "OFFICIAL SEAL" ty of	071984
State of: Tulwoll My Commission expires: Tulwoll State of Lake Clotan Public State of little Is My Commission Expires 05/02/19	181
This instrument was prepared by: Austgen Kuiper Jasaitis P.C. 130 North Main Street Crown Point, IN 46307	STATI FILEC 2017 OC1 MICHA
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Soc document, unless required by law: <u>Lisa M. Matson</u> .	
Return to: Brian K. Birch and Courtney R. Birch 10419 Rolling Meadows Ln. Dyer, IN 46311	NDIANA REGUND AN IO: 05 BROWN

## **EXHIBIT "A"**

Legal Description

For APN/Parcel ID(s): 45-15-06-178-009.000-015

LOT 118 IN SADDLE CREEK SUBDIVISION - PHASE II, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 101 PAGE 26, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

