

NOT AN OFFICIAL DOCUMENT

2022-508106
02/23/2022 03:08 PM
TOTAL FEES: 25.00
BY: JAS
PG #: 6

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

**POWER OF ATTORNEY
OF
HILDA E. KICKERT**

**ARTICLE I
DESIGNATION OF AGENT**

I, HILDA E. KICKERT, of Highland, Indiana, being a mentally competent adult, do hereby designate and appoint my great niece ANASTACIA M. LARKIN, as my true and lawful Attorney-in-Fact, hereinafter sometimes referred to as my Agent giving my Agent full authority and power to make financial, asset management and personal decisions for me in my name, place and stead as authorized in this document.

If my Attorney-in-Fact as hereinabove designated and appointed should die, become mentally or physically incapacitated, resign, refuse to act, or become unavailable, I then and do hereby designate and appoint the following, in the order listed, as my successor Attorney-in-Fact. First my great niece KATERINA KICKERT, and second my friend CHRISTINE RADOWSKI.

**ARTICLE II
REVOCATION OF PRIOR POWERS**

I hereby revoke all asset and financial powers of attorney, general or limited, heretofore granted by me as principal and terminate all agency relationships created under any such prior powers, including those of all successor agents named or contemplated therein, if any.

**ARTICLE III
GENERAL ASSET AND FINANCIAL POWERS**

My Attorney-in-Fact is authorized, in her sole and absolute discretion from time to time and at any time, with respect to any and all of my property and interests in property, real, personal and mixed, and matters affecting my financial and personal interests, by way of illustration and not intending any limitation, to proceed on my behalf as stipulated under the following sections of the Indiana Code governing Powers of Attorney:

IC § 30-5-5.2 Conferring general authority with respect to real property transactions.

NOT AN OFFICIAL DOCUMENT

Power Of Attorney – HILDA E. KIKKERT
Page 2 of 6

- IC § 30-5-5-3 Conferring general authority with respect to tangible personal property transactions.
- IC § 30-5-5-4 Conferring general authority with respect to bond, share and commodity transactions.
- IC § 30-5-5-4.5 Conferring general authority with respect to retirement plans.
- IC § 30-5-5-5 Conferring general authority with respect to banking transactions.
- IC § 30-5-5-6 Conferring general authority with respect to business operating transactions.
- IC § 30-5-5-7 Conferring general authority with respect to insurance transactions.
- IC § 30-5-5-7.5 Conferring general authority with respect to the handling of transfer on death transfers and payable on death transfers.
- IC § 30-5-5-8 Conferring general authority with respect to beneficiary transactions.
- IC § 30-5-5-9 Conferring general authority with respect to gift transactions. (Notwithstanding the foregoing, there shall be no limitation on the size or value of any gifts made by my Agents, including any gifts made to my Agents, pursuant to the planning provided for below in Article IV.)
- IC § 30-5-5-10 Conferring general authority with respect to fiduciary transactions.
- IC § 30-5-5-11 Conferring general authority with respect to claims and litigation.
- IC § 30-5-5-12 Conferring general authority with respect to family maintenance.
- IC § 30-5-5-13 Conferring general authority with respect to benefits from military service.
- IC § 30-5-5-14 Conferring general authority with respect to records, reports, and statements.
- IC § 30-5-5-14.5 Conferring general authority with respect to electronic records, reports, and statements.
- IC § 30-5-5-15 Conferring general authority with respect to estate transactions.
- IC § 30-5-5-18 Conferring general authority with respect to delegating authority.
- IC § 30-5-5-19 Conferring general authority with respect to all other matters.

NOT AN OFFICIAL DOCUMENT

Power Of Attorney – HILDA E. KICKERT

Page 3 of 6

I hereby incorporate by reference all the powers granted an Attorney-in-Fact under Indiana Code Sections 30-5-5-2 through 30-5-5-15 and Indiana Code Sections 30-5-5-18 through 30-5-5-19 and grant these powers to ANASTACIA M. LARKIN or her successors under this document.

ARTICLE IV

MEDICAID PLANNING

In addition to the foregoing, my Attorney-in-Fact shall have the authority to do Medicaid (and other care benefit) planning and transfers on my behalf to protect and preserve my estate from the burdens of long term health care so that I may receive benefits from government programs (including but not limited to Medicaid and the VA pension program), including the authority to:

- A. Make gifts of any or all of my assets;
- B. Purchase assets that are exempt or not counted in determining qualification under the Medicaid resource test;
- C. Loan or transfer assets, including but not limited to the execution of a promissory note, loan, or mortgage pursuant to Federal law requirements of United States Code, Title 42, Section 1396p(c)(1)(I) and Indiana law 405 IAC 2-3-1.1(d)(G). Similarly, authorized transfer of assets include but are not limited to the purchase of an annuity pursuant to United States Code, Title 42, Section 1396p(c)(1)(F) and United States Code, Title 42, Section 1396p(c)(1)(G) as well as Indiana Administrative Code, Title 405, Section 2-3-1.2(c) and Indiana Administrative Code 405, Section 2-3-1.2(d).
- D. Create and fund a Qualified Income Trust (a.k.a. A Miller Trust) in accordance with United States Code, Title 42, Section 1396p(d)(4)(B); and to make the arrangements for the diversion of my income to such Trust.
- E. Create, revoke or amend any trust to qualify for these benefits or to protect my assets from claims or liens of creditors if laws, regulations, rules or administrative interpretations change.

ARTICLE V

PROVISION APPLICABLE TO ARTICLE III

With respect to Article III (General Asset and Financial Powers), it is to be understood that the authority I have conferred to my Attorney-in-Fact in no way is intended to limit or restrict my own authority or decision making capabilities covering such powers and authority as long as I remain mentally competent.

NOT AN OFFICIAL DOCUMENT

Power Of Attorney – HILDA E. KIKKERT

Page 4 of 6

Furthermore, this power of attorney and the authority I have conferred and specified under Article III above shall remain in full force and effect until such time as I may hereinafter revoke the same in writing, provided further, that the same shall not be affected by my subsequent disability, incompetence, or lapse of time.

ARTICLE VI

SPECIFIC AUTHORITY TO REPRESENT PRINCIPAL

WITH INTERNAL REVENUE SERVICE

I grant to my acting Power of Attorney the rights granted under the IRS Power of Attorney and Declaration Representative Form 2848 to have access to all of my files and records with the Internal Revenue Service Department, to secure copies of all prior income tax returns filed by me as well as gift tax returns and corporate tax returns filed by me. In addition, in the event that I am incapacitated, my acting Power of Attorney shall have the authority to sign all tax returns required on my behalf. My Power of Attorney is authorized to receive and inspect confidential tax information and to perform any and all acts that I can perform with respect to the tax matters, which would include the authority to sign any agreements, consent, or other documents. In addition, I grant my Power of Attorney the right to receive refund checks, the power to sign returns and the power to execute a request for disclosure of tax returns or return information.

ARTICLE VII

THIRD-PARTY RELIANCE

No person who relies in good faith upon any representations by or authority of my Attorney-in-Fact, shall be liable to me, my estate, my heirs or assigns for recognizing such representations or authority.

ARTICLE VIII

NOMINATION OF GUARDIAN

In the event a judicial proceeding is brought to establish a guardianship over my property (i.e., Conservatorship), I hereby nominate my Attorney-in-Fact, ANASTACIA M. LARKIN, hereinabove designated and appointed, to be my guardian. In the event that she dies, resigns, or is unable to serve, then I nominate the following, in the order listed, as my alternate guardians: First KATERINA KIKKERT, and second CHRISTINE RADOWSKI.

NOT AN OFFICIAL DOCUMENT

Power Of Attorney – HILDA E. KIKKERT
Page 5 of 6

ARTICLE IX

EFFECTIVE DATE

This power of attorney shall become effective upon this 13th day of September, 2021.

ARTICLE X

MISCELLANEOUS PROVISIONS

1. This durable power of attorney is intended to be valid and given full faith and credit in any jurisdiction or state in which it is presented.

2. My Attorney-in-Fact shall not be entitled to any compensation for services performed hereunder, but shall be entitled to reimbursement for all reasonable expenses incurred and paid, including transportation costs, as a result of carrying out any provisions of this instrument.

3. My Attorney-in-Fact, including her heirs, legatees, successors, assigns, personal representatives, and estate, acting in good faith hereunder, are hereby released and forever discharged from any and all liability (including civil, criminal, administrative or disciplinary), and from all claims or demands of all kinds whatsoever by me or my heirs, legatees, successors, assigns, personal representatives, or estate, arising out of the acts or omissions of my Attorney-in-Fact, except for willful misconduct or gross negligence.

4. My Attorney-in-Fact is authorized to make photocopies of this instrument as frequently and in such quantity as she shall deem appropriate. Each photocopy shall have the same force and effect as any original.

5. If any part or provision of this instrument shall be invalid or unenforceable, such part or provision shall be ineffective to the extent of such invalidity or unenforceability only, without in any way affecting the remaining parts or provisions of this instrument.

6. This instrument, and actions taken by my Attorney-in-Fact properly authorized hereunder, shall be binding upon me, my heirs, successors, assigns, legatees, guardians and personal representatives.

7. I direct that this Power of Attorney be given full faith and credit in all of the fifty (50) states of the United States of America, and be honored by all banking institutions and brokerage firms regardless of the state laws in which the financial institution is located. I further direct my Power of Attorney to take whatever action is necessary to conduct my business throughout the United States of America with this valid Power of Attorney and in any foreign country in which I hold assets.

NOT AN OFFICIAL DOCUMENT

Power Of Attorney – HILDA E. KICKERT
Page 6 of 6

IN WITNESS WHEREOF, I have hereunto executed this Durable Power of Attorney this 13th day of September, 2021.


HILDA E. KICKERT

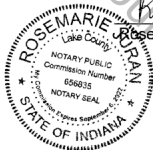
STATE OF INDIANA)
COUNTY OF LAKE) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared HILDA E. KICKERT, who acknowledged the execution of the foregoing General Durable Power of Attorney this 13th day of September, 2021.

WITNESS my hand and notarial seal.

My Commission expires:

September 6, 2022




Rosemarie Juran, Notary Public

Resident of Lake County

This instrument prepared by:

Gary P. Bonk, Attorney-at-Law

The Law Offices of Gary Bonk
900 Parker Place, Suite A,
Scherverville, IN 46375
(219) 864-7800