

# Financial Durable Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_ (hereinafter referred to as "Principal") has made, constituted and appointed, and by these presents does make, constitute and appoint \_\_\_\_\_ (hereinafter referred to as "Agent"), true and lawful attorney for Principal and in the name, place and stead of Principal.

This Power is given to enable the Agent to hold and administer all of the assets of the Principal, both real estate and personal property, and this Power includes the right to perform all of the following functions: To purchase flower bonds; to form corporations; to reorganize corporations of which Principal is a stockholder; to purchase life or health insurance without the necessity of seeking court approval; to allow the Agent to make tax-free gifts of the Principal's assets; to authorize the Agent to disclaim property interests which the Principal may be entitled to receive; to fund revocable trusts of which the Principal is trustor or settlor; to buy and sell and transfer real estate and securities; and to do all other acts which the Agent deems to be in the interest of the Principal including but not limited to the following:

1. The Agent is specifically given the power to perform all of the tasks which the Principal would perform for and on behalf of the Principal and in addition thereto the Agent is given the power to act as Guardian for the Principal and the Principal hereby appoints the Agent as Guardian for the Principal during times when the Principal is incapable of acting.

2. Agent is specifically given the power to manage the financial affairs of the Principal in the event Principal is disabled, including managing real estate, personal property, collecting income, selling of assets required to meet additional expenses of the Principal, and reinvesting proceeds received from investments.

3. Agent is specifically given the power to pay bills and other obligations of Principal during any period of disability and to pay those bills on a current basis. Agent is given authority to borrow money in order to meet obligations rather than liquidate assets at depressed prices. Agent is specifically given the power to borrow from banks and insurance companies.

4. Agent is specifically given authority to continue any business which the Principal may own during any time that the Principal is disabled. Agent is specifically given the authority to continue the business and to use all assets which may be necessary to fulfill this decision, even those assets not previously committed to the business.

5. Agent is specifically given authority to create trusts to manage Principal's significant security holdings requiring professional management if the Agent believes this to be important. Agent is authorized to transfer securities to the trustee for continued management in the trust. Agent is further given authority to withdraw assets from the trust to meet the needs of the Principal. In addition, Agent is given the authority to transfer assets from the Principal's name to any revocable living trust which Principal may have established during Principal's life.

6. Agent is specifically given authority to commence any litigation for and on behalf of Principal or to continue any litigation for and on behalf of Principal. Agent is specifically given the power to prosecute or defend claims, including the right to settle matters and grant releases. Agent is specifically given the authority to employ or discharge attorneys and to make binding arrangements on behalf of Principal.

7. Agent is specifically given the authority for filing tax returns and handling all other matters related to the Principal's taxes, including handling tax disputes with the Internal Revenue Service. Agent is given specific authority to represent the Principal in tax matters including the right to sign Internal Revenue Service Power of Attorney, Form 2848.

8. Agent is specifically given the authority to make health care decisions for and on behalf of the Principal. The Agent is given the specific authority to have access to medical records and to disclose the records to others, to employ and discharge physicians and to consent or refuse to consent to medical procedures. In addition, the Agent is given authority to authorize admission of the Principal to a hospital, including a psychiatric hospital or nursing home, and to sign appropriate consents and releases.

The Principal exonerates the Agent from liability for all non-negligent acts of the Agent.

This Power of Attorney shall not be affected by disability, illness of the Principal. All acts done by Agent pursuant to the powers conferred herein, during any period of disability or incompetence, shall have the same effect and inure to the benefit of and bind the principal or his/her heirs, devisees and Personal Representative, as if the Principal were competent and not disabled;

GIVING AND GRANTING unto said Agent full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done, as fully to all intents and purposes as the Principal might or could do if personally present; hereby ratifying and confirming all that said Agent shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, the hand and seal of Principal has hereunto been affixed this

\_\_\_\_\_, Principal  
Social Security No.

STATE OF )  
 ) ss.  
COUNTY OF )

On this \_\_\_\_\_, personally appeared before me, a Notary Public, \_\_\_\_\_ signatory to the annexed instrument as Principal, personally known to me to be the same person described in and who executed the foregoing instrument, who acknowledged to me that the same was executed freely and voluntarily, and for the uses and purposes therein mentioned.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ Residing In: \_\_\_\_\_  
\_\_\_\_\_