

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, _____, do hereby constitute and appoint:

OR

As my true and lawful Attorney-in-Fact, for me in my name, place and stead. ***Each Attorney-in-Fact may act independently.*** My Attorney-in-Fact shall represent and act for me in all matters of whatsoever kind or nature, as well as to manage and conduct all of my affairs, and for those purposes or nature which shall or may be, in the judgment of my said Attorney-in-Fact, proper, necessary, appropriate, or expedient in the supervision and management of my business, property, and affairs, as fully and effectively in all respects as I could do if personally present. Said authority shall specifically include, but not be limited to, the full power and authority for me and in my name to exercise those powers enumerated in 709.08 Florida Statutes, and as amended from time to time, and:

1. To pursue any litigation or administrative proceeding against any individual or entity who negligently or intentionally fails to honor this Durable Power of Attorney and thus causes such litigation or administrative proceeding, and to pursue all costs and damages, both regular and punitive, against said third party;
2. To enter upon and take possession of any lands, real property, buildings, tenements, or other structures, or any part, or parts thereof, that may belong to me, or to the possession whereof I may be entitled;
3. To demand, ask, collect, sue for, receive, and give effectual discharges for any rents, profits, issues, or income now or which shall become due, of any and all of such real property, lands, buildings, tenements or other structures, or of any part, or parts, thereof, and to take and use all lawful proceedings for recovering the said rents, profits, issues or income, and for ejecting defaulting tenants and occupants, and for terminating the tenancy or occupation thereof, and for obtaining, recovering, and retaining possession of all or any of the premises held or occupied by such defaulter;
4. To bargain, grant, sell, deed, exchange, and convey any and all real property or interest in land (including, but not limited to, any such property designated as homestead property under the laws of the Constitution of the State of Florida or any other jurisdiction) owned by me, including any proprietary lease or any stock evidencing my ownership of any cooperative apartment, and for such sum or sums of money and upon such terms and conditions, as my Attorney-in-Fact shall deem proper and, upon such sale, sales, or

- conveyances, to make, sign, seal, acknowledge, and deliver deeds with such covenants, general or special warranties, quit claim, or otherwise, as my Attorney-in-Fact shall deem expedient or appropriate, and to buy any real property or interest in land for such sum or sums of money and upon such terms and conditions as my Attorney-in-Fact shall deem fit, and to manage any such lands, and to manage, repair, alter, rebuild, or reconstruct, any buildings, houses, or other structures, or any part, or parts, thereof, that may now, or hereafter, be erected upon any such land;
5. To apply for a Certificate of Title upon, and endorse and transfer title thereto, for any automobile, truck, pickup, van, motorcycle or other motor vehicle, and to represent in such transfer assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer assignment;
 6. To procure, change, carry or cancel insurance against any and all risks affecting property or persons against liability, damage or claims of any sort;
 7. To demand, sue for, collect, recover and receive all goods, claims, debts, monies, interests, dividends, annuities, property (both real and personal) payments, legacies, bequests, devises, wares, merchandise, chattels, effects, things, and demands whatsoever now or shall hereafter become due, owing or belonging to me (including the right to institute any action, suit or legal proceedings, for the recovery of any land, buildings, tenements, or other structures, or any part, or parts, thereof, to the possession whereof I may be entitled), to have and take all means for the recovery thereof, by attachments, distress, replevin, garnishment, action at law, suits in equity, or otherwise, and to compromise and agree for the same, and to make, execute and deliver receipts, releases, acquittances or other sufficient discharges therefore, under seal, or otherwise, and to sue and to settle suits of any kind in my name or on my behalf;
 8. To make, execute, endorse, accept and deliver any and all bills of exchange, bonds, checks, drafts, notes and trade acceptances;
 9. To have access at any time or times to any safe deposit box rented by me, wheresoever located, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe deposit box, and any institution in which any such safe deposit box may be located shall not incur any liability to me or my estate as a result of permitting my Agent to exercise this power;
 10. To pay all sums of money, at any time or times, that may hereafter be owing by me upon any bill of exchange, check, draft, note or trade acceptance, made, executed, endorsed, and delivered by me, or for me, and in my name, by my said Attorney-in-Fact;
 11. To sign, seal, execute, deliver, and acknowledge deeds, leases, and assignments of leases, covenants, indentures, agreements, contracts, assignments, mortgages, satisfactions of mortgages, releases, hypothecations, bills, bonds, options, notes, receipts, evidence of debt and such other instruments in writing of whatever kind or nature;

12. To receive and deposit any monies, checks, drafts, instruments, or other property which may come into the possession of my Attorney-in-Fact with any bank, broker, trust company, financial institution, savings institution, or other person or corporation, either in my name, or in the name of a nominee, and to withdraw by check or other means any such money or property to which I am from time to time entitled and which is now or shall be so received and deposited, in either applied debts or interest payable by me or any taxes, assessments, insurance, and expenses due and payable or to become due and payable on account of my real property and personal estate, or for any of the purposes mentioned in this Power of Attorney, or for the purchase of any goods or services on my account or otherwise for my use and benefit, or the investment in my name in any stocks, shares, notes, bonds, securities, or any other property (real or personal, tangible or intangible, income producing or otherwise) as my Attorney-in-Fact may deem proper, to receive and give receipts for any income or dividends and to receive from such investments, and to sell, assign, transfer, or otherwise dispose of all and any such investments or other investments for my use and benefit as my Attorney-in-Fact may deem advisable;
13. To defend, settle, adjust, compound, submit to arbitration and compromise all actions, suits, accounts, reckonings, claims and demands whatsoever that now are or hereafter shall be pending between me and any person, firm or corporation in such manner and in all respects as my said Attorney-in-Fact deem advisable;
14. To buy or sell at public or private sale for cash or credit or by any other means whatsoever, or to acquire, dispose of, repair, alter, store or manage my tangible personal property or any interest therein;
15. To have all powers granted herein with respect to all and any property owned by me and/or acquired by me after the date hereof;
16. To borrow any sum or sums of money or other property on such terms and with such security (whether real or personal property) as my Attorney-in-Fact may deem advisable, and for that purpose to execute and deliver all promissory notes, bonds, mortgages, deeds of trust, or pledges, and other instruments which may be necessary or proper;
17. To engage, employ, and dismiss any accountants, attorneys-at-law, investment counsel, brokers, agents, servants, trustees, professional property managers, doctors, nurses, dentists, clerks, workmen and others, and appoint others in their place, and to pay and allow the persons to be so employed at such salaries, wages or other remunerations, as my said Attorney-in-Fact shall deem advisable;
18. To apply for and receive any government, insurance, and retirement benefits to which I may be entitled, including the right to act as my representative payee with the Social Security Administration, and to exercise any right to elect benefits or payments; to terminate, to change beneficiaries or ownership, to assign rights, to borrow or receive cash value in return for the surrender of any or all rights I may have in life insurance or annuity policies, plans or benefits, Individual Retirement Accounts, or in any retirement, profit sharing, or other employee welfare plans and benefits; and to consent or waive consent in connection with designation of beneficiaries and joint and survivor annuities under any employee benefit

plan;

19. To enter into, make, sign, execute and deliver, acknowledge and perform any contract, agreement, writing, or thing that may, in the opinion of my said Attorney-in-Fact, be necessary or proper, to be entered into, made or signed, or sealed, executed, delivered, acknowledged or performed;
20. To execute all income tax and other Federal, state or local tax returns and perform any and all acts that I can perform with respect to all tax matters (including, but not limited to, Federal and state income and gift taxes, self employment taxes, payroll taxes, intangible property taxes, tangible property taxes, excise taxes, and real estate taxes) for any and all periods or years. Such power shall include, but shall not be limited to, the power to sign or issue, or both, Forms W-2, 709, 843, 941, 942, 1040, 1040A, 1040EZ, 1040X, 1040ES, 4868, 2688, 2210, SS-4, 2553, 8821 and 2848 or any substitute therefore, to claim tax refunds and credits; to file protests or petitions to administrative agencies or courts regarding tax matters; to execute closing agreements, extensions or waivers of the period of limitations and any Power of Attorney required by the Internal Revenue Service or any state or local taxing authority with respect to any tax year; to permit such persons to receive confidential information concerning same; to compromise and settle tax claims or disputes; to prepare, execute and file any returns or other documents in regard to same; to file applications for homestead exemption; and to request any extension of time to perform any of the foregoing;
21. To nominate a guardian or guardians of my estate for consideration by a Court if incompetency proceedings for my estate or person are hereafter commenced. In that regard, I direct my Attorney-in-Fact to nominate himself or herself as guardian of my estate, if able and willing to serve. Notwithstanding the foregoing, my Attorney-in-Fact may oppose the appointment of any Guardian if my Attorney-in-Fact believes that such appointment would not increase the quality of services already afforded by this Power of Attorney;
22. To appoint one or more ancillary attorneys, if at any time my Attorney-in-Fact determines that it is necessary or desirable in my Attorney-in-Fact's discretion to appoint one or more of such ancillary attorneys to act on my behalf in any other jurisdiction or jurisdictions. In making any such appointment, my Attorney-in-Fact may sign, execute, deliver, acknowledge and make declarations in any documents as may be necessary, desirable, convenient or proper in order to effectuate any such ancillary appointment, and my Attorney-in-Fact may grant to any ancillary attorney any or all of the powers, duties and authorities granted my Attorney-in-Fact hereunder, but may not grant to any such ancillary attorney the powers which are inconsistent with those powers granted to my Attorney-in-Fact hereunder;
23. In addition to all other powers granted by this document, I grant to my agent the power and authority to serve as my personal representative for all purposes of the Health Insurance Portability and Accountability Act of 1996 and its regulations (HIPAA) during any time my health care representative is exercising authority under this document.

Pursuant to HIPAA, I Specifically authorize my agent as my HIPAA personal representative to request, receive and review any information regarding my physical or mental health, including, without limitation all HIPAA protected health information, medical and hospital records; to execute on my behalf any authorizations, release or other documents that may be required in order to obtain

this information; and to consent to the disclosure of this information. I further authorize my agent to execute on my behalf any documents necessary or desirable to implement the health care decisions that my agent is authorized to make under this document including Medicare Part D decisions and enrollments applications.

By signing this Durable Power of Attorney, I specifically empower and authorize my physician, hospital or health care provider to release any and all medical records to my agent's designee. Further, I waive any liability to any physician, hospital or any health care provider who releases any and all of my medical records to my agent.

The authority given my agent shall supersede any prior agreement that I may have made with my health care providers to restrict access to or disclosure of my individually identifiable health information. The authority given my agent has no expiration date and shall expire only in the event that I revoke the authority in writing and deliver it to my health care provider.

Giving and granting unto my said Attorney-in-Fact full power and authority to do so and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully, to all intents and purposes, as I might or could do personally, hereby ratifying and confirming all that my Attorney-in-Fact shall lawfully do or cause to be done by virtue hereof. The foregoing enumeration of specific powers does not, and shall not, in any way control, limit, or diminish any of the other specific or general powers herein granted or which should have been granted in order to carry out the purposes herein expressed.

It is my intent in executing this instrument that the power conferred on my Attorney-in-Fact, shall be exercisable commencing with the date hereof, notwithstanding any later disability or incapacity that I may suffer, so that this Durable Power of Attorney shall not be affected by disability of the principal except as provided by Florida Statute.

All acts done by my Attorney-in-Fact pursuant to the powers conferred during any period of my disability or incompetence shall have the same effect, and inure to the benefit of and bind me or my heirs, devisees, and Personal Representatives, as if I were competent and not disabled, unless otherwise provided by Florida Statute. My Attorney-in-Fact shall not be liable for any acts or decisions made by said Attorney-in-Fact in good faith pursuant to the terms hereof.

This Durable Power of Attorney shall be revoked by an instrument signed by me and delivered to my said Attorney-in-Fact. The revocation shall be effective from the date of delivery to my Attorney-in-Fact.

For the purpose of inducing any bank, broker, custodian, insurer, lender, transfer agent, taxing authority, governmental agency or other party to act in accordance with the powers granted in this document, I hereby represent, warrant and agree that:

- A. The powers conferred on my Attorney-in-Fact by this document shall be exercisable by my said Attorney-in-Fact alone, without need for court approval (except where expressly required), and my Attorney-in-Fact's signature or acts under the authority granted in this document shall be accepted by third parties as fully authorized by me

and with the same force and effect as if I were personally present, competent and acting on my own behalf.

- B. No person who acts in reliance upon any representation that my Attorney-in-Fact may make regarding the scope of authority granted under this document shall incur any liability to me, my estate, my heirs, successors or assigns for permitting my Attorney-in-Fact to exercise any such power, nor shall any person who deals with my Attorney-in-Fact be required to determine or insure the proper application of funds or property.
- C. My Attorney-in-Fact shall have the right to seek appropriate Court order mandating acts which my Attorney-in-Fact determines appropriate if a third party refuses to comply with actions taken by my Attorney-in-Fact which are authorized by this document, or to enjoin acts by third parties which my Attorney-in-Fact has not authorized.

This Durable Power of Attorney shall not be affected by disability, incompetency, or incapacity of the principal, except as provided by Statute, and is meant by me to comply with Florida Statute Section 709.08.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the _____ day of _____, 20____.

Signed, sealed and delivered in the presence of:

_____, Principal

Print Witness Name

Print Witness Name

State of Florida
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who [] is personally known to me or [] has produced _____ as identification and who did not take an oath.

Notary Public

My Commission Expires: