



Document 2017 2516

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INDX
ANNO
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

This instrument prepared by:
JOSEPH F WALLACE, Simpson, Jensen, Abels, Fischer & Bouslog PC, 400 Locust St, Ste 400, Des Moines, IA 50309
Phone No.: 515-453-4681

Return document to:
Dylan M. Willis, 201 S 12th Ave, Winterset, IA 50273

FID 38302

$\frac{1}{3}$

AFFIDAVIT REGARDING POWER OF ATTORNEY

Lot Forty-eight (48) of Honor's Acres Second Addition to the City of Winterset, Madison County, Iowa.

I, Rodric Ray Livingston, certify under the penalty of perjury that Deborah Leigh Murray granted me authority as an agent in a power of attorney dated August 15, 2013.

I further certify all of the following to the best of my knowledge:

1. The power of attorney was filed July 31, 2017 in Book 6344 Page 102 at the Office of the Orange County, North Carolina, Registrar of Deeds. A copy of said power of attorney is attached hereto.
2. The principal is alive and has not revoked the power of attorney; the power of attorney and my authority to act under the power of attorney have not terminated.
3. If the power of attorney was drafted to become effective upon the happening of an event or contingency, the event or contingency has occurred.

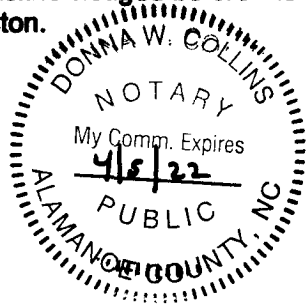
Order No.: MES-74899/MD

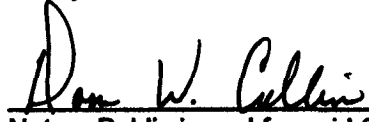

Rodric Ray Livingston

STATE OF NC

COUNTY OF Orange

This instrument was acknowledged before me on August 2, 2017
by Rodric Ray Livingston.




Notary Public in and for said State

**MARK CHILTON
REGISTER OF DEEDS
ORANGE COUNTY, NC**

F11238200

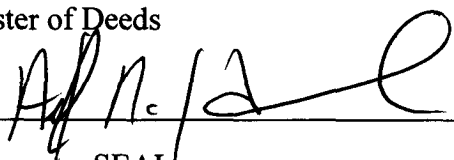
NORTH CAROLINA
ORANGE

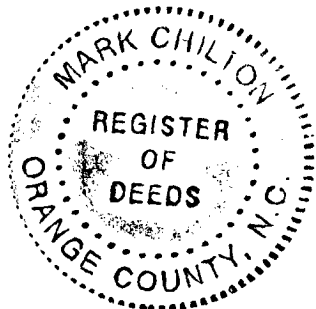
I do hereby certify this to be a true copy of the attached document filed and recorded in the aforesaid county as evidence by Instrument Number

20170731000151240 in Book No. RB 6344 Page No. 102 and consists of 7 page/s.

Witness my hand and Official seal this 31 st day of July 2017.

Mark Chilton
Register of Deeds

By :  Deputy
SEAL



Orange County Register Of Deeds
Mark Chilton
228 South Churton Street, PO Box 8181
Hillsborough NC 27278

7/2



20170731000151240 P/A
Bk:RB6344 Pg:102
07/31/2017 12:20:50 PM 1/7

FILED Mark Chilton
Register of Deeds, Orange Co, NC
Recording Fee: \$26.00
NC Real Estate TX: \$.00

mb

Prepared By and ~~Return To: Gwendolyn C. Brooks, Kennon Craver, PLLC, PO Box 51579, Durham, NC 27717-1579~~
Return To: Rodric Livingston, 2102 Thoroughbred Dr., Hillsborough, NC 27278
STATE OF NORTH CAROLINA

DURABLE POWER OF ATTORNEY

COUNTY OF ORANGE

KNOW ALL PERSONS BY THESE PRESENTS, that I, DEBORAH LEIGH MURRAY, of Orange County, North Carolina, have made, constituted, and appointed and by these presents do make, constitute, and appoint my husband, RODRIC RAY LIVINGSTON, if living, competent, and willing to act, my true and lawful attorney-in-fact, for me and in my name, place, and stead to deal generally and in all respects, without restriction, in and with any property of any nature whatsoever in which I may have any interest.

If for any reason RODRIC RAY LIVINGSTON is unable or unwilling to serve in this capacity, then I appoint my sister-in-law, SHARON A. LUND, to serve as my successor attorney-in-fact. If the named successor purports to act hereunder, it will be presumed as a fact by all persons dealing with the successor attorney-in-fact that she has full authority to act hereunder with all the powers granted my named attorney-in-fact.



PART I - POWERS

A. Statutory Powers. I hereby grant to my attorney-in-fact all of the powers set forth in North Carolina General Statutes §32-27, which powers are hereby incorporated by reference, subject to the restrictions of North Carolina General Statutes §32-26.

B. Specific Powers. Without in any way limiting the broad general power given to my attorney-in-fact above, and in addition to those powers referred to in Paragraph A above, and not in limitation thereof, I specifically authorize my attorney-in-fact to act for me in the following manner:

1. Demand and Receive Property. To demand, receive, collect, and hold any and all monies, securities, and other personal and real property of any nature whatsoever belonging to me or in which I may have any interest.

2. Open and Maintain Bank Accounts. To open and maintain accounts for me and in my name in such banks, savings and loan associations, and other financial institutions as my attorney-in-fact may deem best; to make deposits of money belonging to me in such accounts; and to disburse such monies on the signature of my attorney-in-fact for any purposes in connection with my personal comfort, support, maintenance, health, and general welfare, in such manner and amounts, for such purposes, and at such times as my attorney-in-fact, in her, his, or its sole discretion and judgment, may deem best.

3. Disburse Funds. To make disbursements of monies belonging to me in such manner and amounts, for such purposes, and at such times as my attorney-in-fact, in her, his, or its sole discretion and judgment, may deem best for maintenance, repair, improvement, management, or any other purposes in connection with any real or personal property or any interest therein owned by me.

4. Deal in Real Estate. To sell, subdivide, improve, operate, manage, control, and lease any and all real estate owned by me, wherever located; to demand, collect, and receive the rents, income, and profits derived therefrom; to exercise in all respects general control and supervision over any real estate belonging to me; and to purchase or otherwise acquire additional real estate.

5. Supervise Securities and Personal Property. To exercise in all respects general control and supervision over any securities and other personal property, tangible and intangible, of any nature whatsoever belonging to me; to receive the dividends, interest, proceeds, and profits derived therefrom; and to purchase and otherwise acquire additional personal property.

6. Enter Safe Deposit Boxes. To have unrestricted access to and control of the contents of any safe deposit box or vault to which I might have access, to take and remove from such box or vault any or all of the contents thereof, to lease one or more safe deposit boxes for the safekeeping of my assets.

7. Manage Securities. To vote all stocks, bonds, and other securities; to collect the dividends, interest, profits, or accruals therefrom; to invest, buy, sell, reinvest, and manage the



same; and to exercise any and all rights and powers in connection therewith, all as my attorney-in-fact in her, his, or its sole discretion and judgment, may deem best.

8. Demand and Receive Money Due. To demand and receive, sue for and recover any and all monies or rights of any nature whatsoever and from whatever source derived that may now be due to me or which may at any time hereafter come due, and to give in all respects proper receipts, releases, and acquittances therefor, with no liability on the part of any obligor making payments to my attorney-in-fact to see to the application of the proceeds of such payments or collections.

9. Borrow, Mortgage, and Pledge. To borrow such amounts for such purposes, and at such times as my attorney-in-fact, in her, his, or its sole discretion and judgment, may deem best, and to pledge or mortgage any of my property, real or personal, as security for any such loans.

10. Maintain Legal Actions. To institute, prosecute, defend, compromise, settle, arbitrate, or dispose of any legal, equitable, or administrative actions or proceedings in my name; to execute and verify petitions and complaints in the Federal and State courts, specifically including the United States Tax Court; and to cause me to be represented in such proceedings.

11. Tax Controversies. To represent me and to appoint others to represent me in all tax matters before all officers of the Internal Revenue Service and any State Department of Revenue for all years from 1950 to 2050, inclusive, and to prepare, sign and file any power of attorney form (specifically including Internal Revenue Service Form 2848) appointing my attorney-in-fact or any other suitable person selected by my attorney-in-fact as my representative before such taxing authority.

12. Tax Returns. To sign and verify all tax, social security, unemployment, insurance, and information returns required by the United States or by any State or subdivision thereof, specifically including joint income tax returns with my spouse, claims for refund, requests for extension of time and consents in my name; to receive, endorse, and receipt for any tax refunds due to me; to exercise any elections that I may have under Federal, State or local tax law and to pay compromise, or contest any taxes, penalties, or interest for which I am or may be liable.

13. Deal With Existing Trusts. To add any property whatsoever belonging to me to any trust established by me, to be held and managed as though an original part of such trust; to withdraw and/or receive income or principal from any trust regarding which I have a right of withdrawal or receipt; to request and to receive the income or principal of any trust as to which the trustee has discretionary authority to make distributions to me or on my behalf, and to execute any release or receipt that may be required by such trustee from me. (This power shall not be construed to grant to my attorney-in-fact the power to revoke or amend any trust created by me nor the power to create and fund a trust for me.)

14. Make gifts. To make gifts of my real or personal property or my interest in such property (including, but not limited to, outright gifts, gifts in trust, gifts to a Qualified State Tuition Payment plan as described in Section 529 of the Internal Revenue Code of 1986, as from time to time amended, or gifts to a custodian under a uniform gifts or transfers to minors act) to



such persons (including my attorney-in-fact) or institutions, in such amounts or proportions, as my attorney-in-fact, in her, or its sole discretion and judgment, may deem appropriate for tax or other reasons; provided, however, the total value of gifts to any one donee in any calendar year shall not exceed (i) the amount specified for the federal gift tax annual exclusion (including such additional amount of any gift tax annual exclusion attributable to the consent of my spouse under Section 2513 of the Internal Revenue Code of 1986, as from time to time amended), or (ii) the amount excluded from the gift tax under the provisions of Section 2503(e) of the Internal Revenue Code of 1986, as from time to time amended, relating to the payment of educational and medical expenses.

15. Insurance Transactions. To exercise any right or obligation in regard to any insurance policy of any kind whatsoever in which I have any incident of ownership; to obtain additional contracts of insurance for me; and to make or change the beneficiary of such insurance contracts; provided, however, that such beneficiaries shall include only my spouse or lineal descendants, charitable organizations, or trusts for any of the foregoing.

16. Retirement Plans. To exercise any right with regard to any retirement plan or individual retirement account I may have or entered into by my attorney-in-fact on my behalf, or with regard to any retirement plan or individual retirement account as to which I am the beneficiary including, but not limited to, the power (i) to create and contribute to an individual retirement account, an employee benefit plan, or other retirement plan, (ii) to change the form of the plan as may be permitted by law such as to convert a traditional IRA into a Roth IRA; (iii) to "roll over" plan benefits, (iv) to receive distributions from such plan, and to endorse and deposit checks from such plans; (v) to borrow money from any such plan, (vi) to select options with respect to any such plan, and (vii) to make or change the beneficiary designation of any such plan, provided that a beneficiary shall include only my spouse or lineal descendants, charitable organizations, or trusts for any of the foregoing.

17. Estate and Trust Transactions. To request, demand, sue for, recover, collect, and hold, or to disclaim or renounce as provided by law, any interest that I have or may have in any estate or trust, and to execute and deliver any receipts, releases, or other instruments in connection with any such interest.

18. Business Transactions. To conduct, engage in, and transact any and all lawful business of whatever nature or kind in which I am engaged or interested.

19. Implement Foregoing Powers. To sign any and all contracts, deeds, or other instruments, including additional powers of attorney, necessary to carry out any of the aforementioned powers, hereby giving and granting unto my attorney-in-fact full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in implementing such powers as fully to all intents and purposes as I might or could do if personally present, with full power to substitute in my place and stead. In particular, I grant to my attorney-in-fact the power to sign for me and on my behalf any and all other powers of attorney, on whatsoever form, as may be required or appropriate to permit my attorney-in-fact to carry out the powers and purposes set forth herein, naming himself, herself, or another as attorney-in-fact thereunder.



20. Personal Relationships and Affairs. To do all acts necessary for maintaining my customary standard of living and the customary standard of living of my spouse, my children, and my other dependents; to provide for medical, dental and surgical care, hospitalization, custodial care or any other form of health or mental care for me, my spouse, my children, and my other dependents; to continue whatever provision has been made by me for me, my spouse, my children, and my other dependents, with respect to automobiles or other means of transportation; to continue whatever charge accounts have been operated by me for my convenience, and the convenience of my spouse, my children, and my other dependents, to open such new accounts as my attorney-in-fact shall think to be desirable for the accomplishment of any of the purposes enumerated in this paragraph, and to pay the items charged on such accounts by any person authorized or permitted by me or my attorney-in-fact to make such charges; to continue the discharge of any services or duties assumed by me, to any parent, relative, or friend of mine; to continue payments incidental to my membership or affiliation in any church, club, society, order, or other organization, or to continue contributions thereto.

21. Employ Advisors. To employ or discharge persons, firms and corporations to advise or assist my attorney-in-fact, including, but not limited to, agents, accountants, auditors, brokers, attorneys-at-law, custodians, investment counsel, rental agents, realtors, appraisers and tax specialists.

22. Renunciations. The power to renounce or disclaim in whole or in part the right of succession to any real or personal property or interest in such property passing to me as an heir or beneficiary under a will or otherwise when in the opinion of my attorney-in-fact a renunciation or disclaimer is advisable for tax purposes.

PART II-ADMINISTRATION

A. Compensation. My attorney-in-fact shall serve without bond and shall be entitled to reasonable compensation as provided by statute. In addition, my attorney-in-fact shall be entitled to reimbursement for all reasonable costs and expenses actually incurred and paid by my attorney-in-fact on my behalf under any provision of this Power of Attorney.

B. Right of Revocation. I reserve the right to revoke or amend this Power of Attorney at any time by any method set forth in North Carolina General Statutes §32A-13. Pursuant to that power, all Durable Powers of Attorney heretofore executed by me are hereby revoked, except that this Power of Attorney specifically does NOT revoke any Health Care Power of Attorney previously executed by me.

C. Inventory and Accountings. No inventory or account shall be filed with any court or the clerk thereof, but an accounting shall be filed with me or my guardian each year and with my personal representative in the year of my death.

D. Ratification. I do hereby ratify and confirm all things so done by my attorney-in-fact within the scope of the authority herein given my attorney-in-fact as fully and to the same extent as if by me personally done.



E. Nomination of Guardian. If at any time following the execution of this Power of Attorney, a court appoints a guardian of my estate or a general guardian, I request that the court making such appointment consider my attorney-in-fact nominated hereunder to serve as such guardian of my estate or general guardian.

F. Relation of Attorney-In-Fact to Health Care Agent. Any decision affecting my property or financial affairs, including a decision as to the disbursement of monies belonging to me, which is made by my Health Care Agent appointed pursuant to a Health Care Power of Attorney meeting the requirements of Article 3 of Chapter 32A of the General Statutes of North Carolina shall be superior to and binding upon my attorney-in-fact acting under this Power of Attorney, and my attorney-in-fact acting under this Power of Attorney shall not be required to inquire into whether any such decision is necessary to exercise powers relating to health care, or whether costs incurred by the Health Care Agent are reasonable, and shall not be liable to me, my estate, my heirs, successors, assigns and personal representatives for any acts or omissions arising from any such decision.

G. Removal and Resignation of Agent, Agent's Power of Substitution. I shall have the right to remove my attorney-in-fact at any time in a writing signed by me and acknowledged before a notary public and delivered to the attorney-in-fact in person or to such person's last known address by certified or registered mail, return receipt requested. An attorney-in-fact shall have the right to resign in a writing signed by the attorney-in-fact and acknowledged before a notary public and delivered to me and to any other attorney-in-fact acting under this General Power of Attorney or, if none, to the designated successor attorney-in-fact, if any, in person or to such person's last known address by certified or registered mail, return receipt requested. Unless I have designated otherwise, my attorney-in-fact shall have full power of substitution, including the power to designate another or others as my attorney-in-fact, to exercise on a general or limited basis any or all of the powers granted by this instrument, and to revoke any such appointment.

H. Partial Invalidity. If any part of this Power of Attorney is declared invalid or unenforceable under applicable law, such decision shall not affect the validity of the remaining parts.

THIS POWER OF ATTORNEY IS EXECUTED PURSUANT TO THE PROVISIONS OF NORTH CAROLINA GENERAL STATUTES SECTION 32A-8, AND IT SHALL NOT BE AFFECTED BY MY SUBSEQUENT INCAPACITY OR MENTAL INCOMPETENCE.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of August, 2013.

Deborah Leigh Murray
DEBORAH LEIGH MURRAY



STATE OF NORTH CAROLINA
COUNTY OF DURHAM

I, Vivian P. Whitman, a Notary Public in and for Person County and the State aforesaid, hereby certify that DEBORAH LEIGH MURRAY personally appeared before me this day and acknowledged the due execution of the foregoing Durable Power of Attorney for the purposes therein expressed.

WITNESS my hand and notarial seal this 15th day of August, 2013.

Vivian P. Whitman
Notary Public

My Commission Expires:
6/11/2017

