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Doc#: 1335346000 Fee: \$48.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 12/19/2013 09:24 AM Pg: 1 of 6

## DURABLE POWER OF ATTORNEY

OF

LYDIA NIECHCIOL

LEGAL DESCRIPTION: LOT 10 IN MELVIN K. MEYER ESTATE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 35 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 10, 2005, AS DOCUMENT NO. 0531434032 IN COOK COUNTY, ILLINOIS.

PIN: 32-08-118-021-0000

ADDRESS: 1309 Meyer Court, Homewood, IL 60430

Prepared by: Marc H. Feldman, 3908 26<sup>th</sup> Street W, Bradenton, FL 34205

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## DURABLE POWER OF ATTORNEY of LYDIA NIECHCIOL

I, Lydia Niechciol, do hereby appoint my daughter, Martina Niechciol Hooks, my true and lawful attorney-in-fact to act for and in behalf of me and in my name to have all of the privileges and exercise all of the powers set forth herein. If this person shall be unable or unwilling to serve or to continue to serve as my attorney-in-fact, then I appoint my daughter, Astrid Mosely, alternate or successor attorney-in-fact to have and serve with all of the same privileges and powers set forth herein. Anyone dealing with the person named as my alternate or successor attorney-in-fact may rely upon an affidavit of such alternate or successor that my first named attorney-in-fact is no longer serving in that capacity.

I grant my attorney-in-fact the following powers and privileges, without limitation: to demand and receive all sums of money, debts, interest, earned and unearned income, dividends, and all other obligations as are now due or shall hereafter become due to me and to have all lawful means in my name for the recovery thereof; to enter into any contract, whether for the purchase, lease, or sale of land or for any other purpose; to purchase, lease, mortgage, release, sell, and convey any real or personal property, whether now owned or hereafter acquired by me, specifically including (without limitation) any real property which may constitute my homestead under Florida law; to negotiate any bank account by making deposits and withdrawals; to have access to any safe deposit boxes registered in my name alone or jointly with any other persons and to remove any and all of its contents; and to do all other things and acts whatsoever as I might or could do if personally present.

This specifically includes, but is in no way limited to, the power and privilege to:

1. Enter upon or into and take possession of any of my property, real or personal, including any safe deposit box and the contents thereof, and to demand, receive, and give receipt for any sums of money or property, real or personal, now or hereafter due me, including any bank, savings and loan association, or credit union deposit in my name.
2. Deposit in any bank, savings and loan association, or credit union, any money collected or received for me by my attorney-in-fact.
3. Pay all bills, accounts, mortgages, debts, taxes, assessments, claims, and demands now or hereafter payable by me.
4. Sign, endorse and deliver all checks, drafts, and other negotiable instruments payable to me or by me as my attorney-in-fact may deem proper.

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5. Borrow money, sign, and deliver any note, other evidence of debt, or other instrument in writing necessary or proper in connection with any loan, and to endorse, assign, pledge, mortgage and hypothecate any or all of my property, real or personal, as security for any loan, on such terms as my attorney-in-fact may deem proper.
6. Sell, convey, lease, and dispose of any or all of my property, real or personal, for such prices and upon such terms of credit or otherwise as my attorney-in-fact may deem proper, and execute and deliver to the purchasers or lessees of such property appropriate contracts, bills of sale, leases, assignments, deeds, land contracts and other instruments of conveyance or transfer, with or without warranty.
7. Vote any shares of stock in any corporation with the full power of substitution and the exercise of such rights, and for that purpose to execute and deliver all necessary proxies.
8. Insure any of my property, real or personal, in such amounts and on such terms as my attorney-in-fact may deem proper.
9. Buy or otherwise acquire and hold, in the name of my attorney-in-fact or such other name or names as my attorney-in-fact may deem proper, any property, real or personal, for such prices and on such terms of credit or otherwise as my attorney-in-fact shall deem proper, and to sign and deliver whatever instruments and make whatever payments as may be appropriate or incidental to any such purchase, acquisition, or holding.
10. Commence and carry on, or defend, at law or in equity, all actions, lawsuits, and other proceedings in which I or my real or personal property may be in any way involved.
11. Compound, compromise, settle and adjust all claims (including tax claims) in favor of or against me, on such terms and conditions as my attorney-in-fact may deem proper.
12. Make and verify any income tax returns, personal property tax returns, and other tax returns for which I am liable, and to represent me in all income and other tax matters before any officer of the Internal Revenue Service, within the limitations of applicable Revenue Rulings and Procedures.
13. Make any and all elections, determinations, settlements, and other decisions under any and all retirement and deferred compensation plans, accounts and investments, whether tax-deferred or not, including (but not limited to) individual retirement accounts ("IRA's") and so-called Roth IRA's.
14. Apply for and receive any governmental or insurance benefits, including all public benefits or entitlement programs.

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15. Exercise any power of appointment heretofore created or given to me or arising hereafter, if arising out of an instrument heretofore existing.
16. Disclaim any interests in property or powers over property, including powers of appointment held by me at the time of my execution of this instrument or transferred to me from any estate or otherwise, and to make any statutory elections that would otherwise be available to me in my discretion.
17. Determine if and when I am able to leave any long term care facility, (including, but not limited to, a nursing or convalescent home), and to determine if and when I am able or likely to return to my own home or any other residence.
18. Employ and pay reasonable compensation to agents, accountants, attorneys, and investment counsel to assist in the exercise of any of the foregoing powers.
19. Assign and convey any or all of my property, real or personal, to any trust established by me or by others over which I have unrestricted right of revocation or withdrawal, at such times as my attorney-in-fact deems appropriate, and to execute and deliver to the Trustee of any such trust, appropriate assignments, deeds and other instruments of conveyance or transfer, even if my attorney-in-fact is the Trustee of such trust.
20. Enter into a Revocable or Irrevocable Trust Agreement which may include, but shall not be limited to, the naming of appropriate Trustees (and my attorney-in-fact may be Trustee), provisions for administering the Trust, the naming of appropriate beneficiaries, and the limiting of principal available to me if I am no longer capable of caring for myself or for being cared for outside of a long term care facility (including, but not limited to, a nursing or convalescent home). Any such Trust, however, must provide that:
  - a) All income of the Trust shall be paid to me at least annually;
  - b) All principal of the Trust shall be available to me to meet my needs for so long as I am capable of caring for myself or being cared for outside of a long term care facility (including, but not limited to, a nursing or convalescent home);
  - c) Upon my death, the assets of the Trust shall pass either (i) if I die testate, directly to the same beneficiaries as those named in any last Will theretofore executed by me and in the same amounts or proportions as provided in such Will, or (ii) if I die intestate, directly to my heirs-at-law in the same amounts or proportions as provided in accordance with the statutes of the State of Florida as in effect at the time of my death; provided, however, that none of the foregoing restrictions on permissible beneficiaries shall apply if all such possible beneficiaries agree in writing to a deviation from the foregoing or if a court of competent jurisdiction approves otherwise; and

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- d) Any provision allowing amendment of the Trust shall require that such amendments comply with the foregoing limitations.
21. Transfer title to my spouse to all or any part of any interest I may have in any residence or former residence of mine or of my spouse, as a gift or otherwise, for no or any sort of consideration deemed appropriate in the opinion of my attorney-in-fact.
  22. Continue any past program undertaken by me of yearly gifting to my spouse and issue or to any other persons previously included in any such program and to pay such tuition and medical expenses which can be paid out of my estate without incurring gift taxes or decreasing my unified gift and estate tax credit.
  23. Make gifts to and among a class of persons consisting of my spouse and issue (including my attorney-in-fact, if a member of said class), without requiring any equal or proportionate distribution among the members of said class; provided, however, that any such gift to any one person shall not exceed a cumulative total during any one calendar year of \$5,000.00 or 5% of the aggregate value of all my assets then controlled by my attorney-in-fact, whichever amount shall be greater.
  24. Continue any financial support I myself have personally and actually given on a regular basis in most recent prior years to those members of a class of persons consisting of my spouse and issue (including my attorney-in-fact, if a member of said class).

At the present time, I acknowledge owning or having an interest in the following real property which shall be subject to the foregoing powers granted my attorney-in-fact, together with any and all other real property I may now own or hereafter acquire, or in which I may now have or hereafter acquire any interest:

Lot 11, Block K, Glenn Lakes, Phase IV, as per plat thereof recorded in the Public Records of Manatee County, Florida.

I further grant my attorney-in-fact the authority to make health care decisions for me in the event I am unable to do so myself. This includes, but is not limited to, the power to consent to giving, withholding or stopping any health care, treatment, service, or diagnostic procedure, and the authority to communicate with health care personnel, obtain information, and sign any documents necessary to carry forth such health care decisions.

This also specifically includes, but is not limited to, the authority to decide that life prolonging procedures be withheld or withdrawn if I should have a terminal condition and my attending physician has determined that there can be no recovery from such condition, that my death is imminent, and that I am comatose, incompetent, or otherwise mentally or physically incapable of communication.


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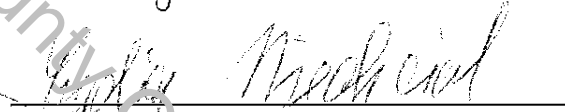
My attorney-in-fact shall be entitled to reasonable compensation for services rendered and shall not be liable or limited in powers merely because my attorney-in-fact derives any direct or incidental benefit from any act undertaken by my attorney-in-fact, or otherwise has any individual or conflicting interest in any such act or the outcome or result thereof. Notwithstanding anything contained herein, my attorney-in-fact shall not have the power to reconstruct my assets in such a way as to increase his or her distribution of my assets upon my death over and above that which he or she would receive otherwise, or under my last Will, if any, or by intestate distribution, if I have no valid last Will at the time of my death. My attorney-in-fact shall not be liable for any acts or decisions made in good faith under the terms of this instrument.

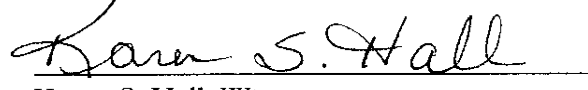
I hereby ratify and confirm all that my attorney-in-fact shall lawfully do or cause to be done by virtue of this power.

This is a Durable Power of Attorney pursuant to §709.08 of the Florida Statutes and shall not be affected by the subsequent incapacity of the principal, except as provided by statute.

Signed and dated this 15<sup>th</sup> day of February, 2000.

  
\_\_\_\_\_  
Marc H. Feldman, Witness


  
\_\_\_\_\_  
Lydia Niechciol

  
\_\_\_\_\_  
Karen S. Hall, Witness

State of Florida  
County of Manatee

The foregoing instrument was acknowledged before me on 15 February 2000 by  
Lydia Niechciol

who personally appeared before me and:  is personally known to me, or  
 produced Florida Driver License as identification.

  
\_\_\_\_\_  
Linda A. Calvo, Notary Public

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