

\* \* \* \* \* NOTE \* \* \* \* \*

The following Durable General Powers of Attorney (marked with red flag) must be filed with the Travis County Clerk and with the clerk of each county where you own real property to be effective in real property transactions. Prior to execution, you should review the Summary of Powers explained in the following pages. This is a summary only and is by no means exhaustive. For further explanation of the specific powers, you should review the Texas Durable Power of Attorney Act as found in Chapter XII of the Texas Probate Code. After execution, please remove each Power of Attorney from the binder and mail to the Travis County Clerk and any other applicable clerks in the enclosed envelope(s) with a check payable to the Clerk in the amount indicated. After recording each Clerk will return the originals to you. After all applicable filings, the originals should be inserted back in the binder.

## SUMMARY OF SPECIFIC POWERS

THE FOLLOWING IS A VERY GENERAL SUMMARY OF THE POWERS ENUMERATED IN THE DURABLE POWER OF ATTORNEY ACT. FOR A MORE DETAILED EXPLANATION OF THE POWERS GRANTED UNDER THE ACT YOU SHOULD CONSULT AN ACTUAL COPY OF THE TEXAS DURABLE POWER OF ATTORNEY ACT AS FOUND IN CHAPTER XII OF THE TEXAS PROBATE CODE.

### A) Real Property Transactions

This power permits the agent to accept, buy, lease or otherwise acquire real property; to sell, exchange or convey real property; to release, assign, satisfy or litigate any claims involving the real property; to manage property including the right to insure, pay and contest taxes and maintain the property in good repair; to use, develop and alter the property; and to make gifts of or donate the real property or grant easements for public use of the property.

It is not required that the property be described in detail or that any legal description of the property be included in the Power of Attorney.

### B) Tangible Personal Property Transactions

This power permits the agent to accept gifts of, buy, sell or assign any personal property; to pledge as collateral or otherwise encumber any personal property; to release, assign, satisfy or litigate any claims involving the personal property; to manage the personal property including insuring, taking or keeping possession of or storing the property, paying or contesting taxes or using the personal property.

### C) Stock and Bond Transactions

This power permits the agent to buy, sell or exchange any stocks, bonds, securities or other financial instruments other than commodity futures and call and put options. The agent may also control the evidence of ownership and exercise all voting rights including the issuance of proxies.

### D) Commodity and Option Transactions

This power permits the agent to buy, sell, exchange, assign or settle commodity futures contracts and call and put options. The agent may also establish or continue a relationship or account with a broker.

**E) Banking and other Financial Institutions Transactions**

This power permits the agent to continue, modify or terminate any existing bank account and to establish, modify or terminate any new account; to make deposits and withdrawals from any account; to rent, enter or remove contents of safe deposit boxes; to borrow money, pledge collateral and agree to extension of loans; to make, assign or otherwise negotiate promissory notes and other negotiable and non-negotiable instruments; to apply for credit, credit cards, letters of credit and to purchase travelers' checks.

The agent can use any services that are deemed necessary as provided by banks, savings and loans, credit unions or other financial institutions.

**F) Business Operating Transactions**

This power permits the agent to operate, buy, sell or terminate a business interest; to perform any duty or obligation or exercise any right, power or privilege under a partnership agreement; to perform any duty or obligation or exercise in person or by proxy any right, power or privilege as the holder of stock, shares or other certificate of ownership; to continue, modify or extend any contract, operate and manage all aspects of a sole proprietorship; to enter into contracts; to change the name or form of operation of any business; to receive and demand all money due to a business; to put additional capital into a business; to enter into new business enterprises; to reorganize a business; and to file and prepare documents required by the government as well as pay or contest taxes.

**G) Insurance Transactions**

This power permits the agent to continue, modify or terminate any insurance contract or annuity (regardless whether or not the principal is the beneficiary); to purchase additional insurance and annuities for the principal or the principal's spouse, children or dependents; to designate the beneficiary of any life insurance policy, including naming himself as beneficiary if he was named as a beneficiary under a prior insurance contract that was executed by the principal; to apply for and receive loans under an insurance contract; and to otherwise exercise any right, power or privilege under any existing insurance contract or one procured by the agent.

**H) Estate, Trust and Other Beneficiary Transactions**

This power permits the agent to act for the principal in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow arrangement, custodianship or other fund from which the principal is, may become or claims to be entitled, as a beneficiary, to share or payment; to accept, reject, sell or consent to a reduction or modification of payment from a fund; to enforce any claim of the principal against any fund; to conserve, invest, disperse or use anything received; and to transfer all or part of an interest of the principal to the trustee of a revocable trust created by the principal as a grantor.

**I) Claims and Litigation**

This power permits the agent to assert, prosecute or defend against any rights or claims with respect to the principal; to take advantage of any available procedure to satisfy a judgment, order or decree; to settle claims and to accept or propose compromise of claims; and to act on the principal's behalf in any procedural matters related to the prosecution or defense of any claim or litigation.

**J) Personal and Family Maintenance**

This power permits the agent to perform acts to maintain the customary standard of living for the principal as well as the principal's spouse, children and other individuals who have been supported in the past or who are legally entitled to be supported by the principal; to provide food, clothing, shelter and medical care for the above; to provide for vacations and domestic services for the above; to purchase, sell or replace automobiles and pay for their maintenance including insurance, taxes and repairs; to provide charge accounts for the above secured by the assets of the principal or unsecured; and to continue to fund or contribute to churches, country clubs or other organizations funded or contributed to by the principal.

**K) Benefits From Social Security, Medicare, Medicaid or other Governmental Programs or Civil or Military Services**

This power permits the agent to claim any allowances or reimbursements from or claim any property held by any government entity; to apply for any benefits owed to the principal; and to seek legal recourse to receive governmental benefits.

**L) Retirement Plan Transactions**

This power permits the agent to apply for and receive the proceeds from any retirement benefits; to select payment options; to make contributions to retirement plans; to borrow from, sell to or purchase assets from any retirement plan; to obtain records from any retirement plan; to change beneficiary designations; to decide how and when to collect the benefits; and to waive any claim to receive benefits.

**M) Tax Matters**

This power permits the agent to prepare, sign and file all tax forms and returns for the principal; to make any election available to the principal; to pay taxes and collect refunds; to contest tax matters; and to represent the principal before the Internal Revenue Service or any other taxing authority.

**DURABLE GENERAL POWER OF ATTORNEY  
OF ALFRED HAMILTON**

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE DURABLE POWER OF ATTORNEY ACT, CHAPTER XII, TEXAS PROBATE CODE. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, ALFRED HAMILTON, residing at 9902 Childress Drive, Austin, Texas 78753-4332 and my social security number being 458-24-4617, appoint MAURINE P. HAMILTON, 9902 Childress Drive, Austin, Texas 78753-4332, (512) 836-1930, as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS.

TO GRANT ONE OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

**INITIAL:**

- (A) real property transactions;
- (B) tangible personal property transactions;
- (C) stock and bond transactions;
- (D) commodity and option transactions;
- (E) banking and other financial institution transactions;
- (F) business operating transactions;
- (G) insurance and annuity transactions;
- (H) estate, trust and other beneficiary transactions;
- (I) claims and litigation;
- (J) personal and family maintenance;
- (K) benefits from social security, Medicare, Medicaid or other governmental programs or civil or military service;
- (L) retirement plan transactions;
- (M) tax matters;
- (N) ALL OF THE POWERS LISTED IN (A) THROUGH (M). YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

DURABLE GENERAL POWER OF ATTORNEY  
OF ALFRED HAMILTON

SPECIAL INSTRUCTIONS:

ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

To begin or continue a gift program for the benefit of any of my children or grandchildren or to continue a gift program (or fulfill a pledge) to charitable organizations, by transferring either directly or indirectly to one or more of these donees such cash, stocks, bonds, securities, or other property and interest in property (consisting of any property, real, personal or mixed of whatsoever kind, wheresoever located and whensoever acquired) as and when my attorney may think proper and in such amounts consistent with my prior gifts, my current estate, the tax benefits (estate, gift, and/or income) of any such gifts, and the donee's respective needs.

To convey and transfer all or any part of my property (real, personal, and mixed) to the Trustee of the Alfred Hamilton and Maurine P. Hamilton Revocable Living Trust, dated December 96 wherein Maurine P. Hamilton and I are the Grantors or Trustors, to be held by said Trustee in accordance with terms and conditions of said Trust; and to execute any and all instruments of conveyance, to make any endorsements and acknowledgments that may be necessary to convey and transfer said property, and to do anything else that I might reasonably do in order to effect said transfers.

UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

CHOOSE ONE OF THE FOLLOWING ALTERNATIVES BY CROSSING OUT THE ALTERNATIVE NOT CHOSEN:

- (A) ~~This power of attorney is not affected by my subsequent disability or incapacity.~~
- (B) This power of attorney becomes effective upon my disability or incapacity.

( NOTE: Disability or incapacity must be evidenced by either a court order holding the party to be incapacitated or written certification acknowledged by two licensed physicians stating that the party has become disabled or incapacitated)

YOU SHOULD CHOOSE ALTERNATIVE (A) IF THIS POWER OF ATTORNEY IS TO BECOME EFFECTIVE ON THE DATE IT IS EXECUTED.

IF NEITHER (A) NOR (B) IS CROSSED OUT, IT WILL BE ASSUMED THAT YOU CHOSE ALTERNATIVE (A).

I hereby revoke all previous Powers of Attorney executed by me. I agree that any third party who receives a copy of this document may act under it. Revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

If any agent named by me dies, becomes legally disabled, resigns or refuses to act, I name the following (each to act alone and successively, in the order named) as successor(s) to that agent:

DURABLE GENERAL POWER OF ATTORNEY  
OF ALFRED HAMILTON

SYLVIA L. HAMILTON  
9008 East Drive, Apt. B  
Austin, Texas 78753  
(512) 873-0990

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ALAN L. HAMILTON  
9902 Childress Drive  
Austin, Texas 78753-4332  
(512) 836-1930

MARTHA FRANCES LUCO  
9862 Childress Drive  
Austin, Texas 78753  
(512) 834-2198

SIGNED this 18<sup>th</sup> day of December, 1996.

Alfred Hamilton  
ALFRED HAMILTON

STATE OF TEXAS  
LAVACA  
COUNTY OF TRAVIS

This document was acknowledged before me on the 18<sup>th</sup> day of December, 1996 by  
ALFRED HAMILTON.

Glenda Trlicek  
Notary Public, State of Texas



After Recording Return To:

Mr. and Mrs. Alfred Hamilton  
9902 Childress Drive  
Austin, Texas 78753-4332

100671

**FILED FOR RECORD**  
At 2:25 O'Clock P.M.

DEC 18 1996

HENRY J. SITKA CLERK  
COUNTY COURT, LAVACA CO., TEXAS  
By Barbara Tesch Deputy

Filed by, paid & RETURN to:  
Maurine P. Hamilton  
9902 Childress Drive  
Austin, Texas 78753-4332

DURABLE GENERAL POWER OF ATTORNEY  
OF ALFRED HAMILTON

COMPARED

THE STATE OF TEXAS  
COUNTY OF LAVACA I hereby certify that  
this instrument was filed on the date and time  
stamped hereon by me and was duly recorded on  
the 18<sup>th</sup> day of December, 1996.  
Vol. 111, Page 785 of the Public  
Records of Lavaca County, Texas.  
HENRY J. SITKA  
County Clerk  
Lavaca  
County, Texas  
By Barbara Tesch Deputy  
**Barbara Tesch**

DURABLE GENERAL POWER OF ATTORNEY 00005524328  
OF MAURINE P. HAMILTON

5/1/86

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE DURABLE POWER OF ATTORNEY ACT, CHAPTER XII, TEXAS PROBATE CODE. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, MAURINE P. HAMILTON, residing at 9902 Childress Drive, Austin, Texas 78753-4332 and my social security number being 459-20-2593, appoint SYLVIA L. HAMILTON, 9008 East Drive, Apt. B, Austin, Texas 78753, (512) 873-0990, as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS.

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- (G) insurance and annuity transactions;
- (H) estate, trust and other beneficiary transactions;
- (I) claims and litigation;
- (J) personal and family maintenance;
- (K) benefits from social security, Medicare, Medicaid or other governmental programs or civil or military service;
- (L) retirement plan transactions;
- (M) tax matters;
- (N) ALL OF THE POWERS LISTED IN (A) THROUGH (M). YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

DURABLE GENERAL POWER OF ATTORNEY  
OF MAURINE P. HAMILTON

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12839 1114



## SPECIAL INSTRUCTIONS:

ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

To begin or continue a gift program for the benefit of any of my children or grandchildren or to continue a gift program (or fulfill a pledge) to charitable organizations, by transferring either directly or indirectly to one or more of these donees such cash, stocks, bonds, securities, or other property and interest in property (consisting of any property, real, personal or mixed of whatsoever kind, wheresoever located and whensoever acquired) as and when my attorney may think proper and in such amounts consistent with my prior gifts, my current estate, the tax benefits (estate, gift, and/or income) of any such gifts, and the donee's respective needs.

To convey and transfer all or any part of my property (real, personal, and mixed) to the Trustee of the Alfred Hamilton and Maurine P. Hamilton Revocable Living Trust, dated December 18<sup>th</sup> 96, wherein Alfred Hamilton and I are the Grantors or Trustors, to be held by said Trustee in accordance with terms and conditions of said Trust; and to execute any and all instruments of conveyance, to make any endorsements and acknowledgments that may be necessary to convey and transfer said property, and to do anything else that I might reasonably do in order to transfer all or any part thereof to said Trust.

UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

CHOOSE ONE OF THE FOLLOWING ALTERNATIVES BY CROSSING OUT THE ALTERNATIVE NOT CHOSEN:

(A) ~~This power of attorney is not affected by my subsequent disability or incapacity.~~ M H

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I hereby revoke all previous Powers of Attorney executed by me. I agree that any third party who receives a copy of this document may act under it. Revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

If any agent named by me dies, becomes legally disabled, resigns or refuses to act, I name the following (each to act alone and successively, in the order named) as successor(s) to that agent:

DURABLE GENERAL POWER OF ATTORNEY  
OF MAURINE P. HAMILTON

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

page 2

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MARTHA FRANCES LUCO  
9862 Childress Drive  
Austin, Texas 78753  
(512) 834-2198

ALFRED HAMILTON  
9902 Childress Drive  
Austin, Texas 78753-4332  
(512) 836-1930

ALAN L. HAMILTON  
9902 Childress Drive  
Austin, Texas 78753-4332  
(512) 836-1930

SIGNED this 18<sup>th</sup> day of December, 1996.

*Maurine P. Hamilton*  
MAURINE P. HAMILTON

STATE OF TEXAS  
LAVACA  
COUNTY OF TRAVIS  
TRAVIS

This document was acknowledged before me on the 18<sup>th</sup> day of December, 1996 by MAURINE P. HAMILTON.

*Glenda Trlicek*  
Notary Public, State of Texas



After Recording Return To:

Mr. and Mrs. Alfred Hamilton  
9902 Childress Drive  
Austin, Texas 78753-4332

100672

FILED FOR RECORD  
At 3:25 O'Clock P.M.

DEC 18 1996

HENRY J. SITKA CLERK  
COUNTY CLERK, LAVACA CO., TEXAS  
By *Barbara Tesch* Deputy

Filed by, paid & return to  
Maurine P. Hamilton  
9902 Childress Drive  
Austin, Texas 78753-4332

DURABLE GENERAL POWER OF ATTORNEY  
OF MAURINE P. HAMILTON

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12839 1116

COMPARED

THE STATE OF TEXAS  
COUNTY OF LAVACA. I hereby certify that  
this instrument was filed on the date and time  
stamped hereon by me and was duly recorded on  
the 18<sup>th</sup> day of December, 1996 in  
Vol 111 Page 788 of the Official  
Records of Lavaca County, Texas  
HENRY J. SITKA  
County Clerk  
Lavaca  
County, Texas  
By *Barbara Tesch* Deputy

*Barbara Tesch*