

FILED

K-57312  
STATE OF SOUTH CAROLINA  
JUN 26 12 03 PM '01

Vol. MO1 Page 39041

COUNTY OF CALHOUN  
J. KEITH BARNWELL  
CLERK OF COURT  
CALHOUN COUNTY  
ST. MATTHEWS, S.C.  
GENERAL DURABLE POWER OF ATTORNEY  
OF GRACE E. AUGUSTINE

**KNOW ALL MEN BY THESE PRESENTS**, That, I, Grace E. Augustine, hereby appoint my son, Michael Augustine, my true and lawful Attorney.

My designated attorney is authorized to act in, manage, and conduct all of my affairs, and for that purpose in my name and on my behalf to do and execute all and any of the following acts, deeds, and things:

1. **To Make Gifts:** To make gifts to my spouse and/or among my blood related descendants and/or any of their spouses, including gifts to my Attorney, even though I may not have established a pattern of giving during my lifetime except that no gifts to my issue may exceed the available annual exclusion from gift taxes in any year.

2. **To Receive Debts, Etc.:** To ask, demand, sue for, recover, and receive all sums of money, debts, dues, goods, wares, merchandise, chattels, effects, and things of whatsoever nature or description which are now or hereafter shall be or become due, owing, payable, or belonging to me in or by any right, title, ways, or means howsoever, and upon receipt thereof or of any part thereof to make, sign, execute, and deliver such receipts, releases, or other discharges for the same respectively as he or she shall think fit or be advised.

3. **To Settle Accounts:** To settle any account or reckoning whatsoever wherein I now am or at any time hereafter shall be in any wise interests or concerned with any person whomsoever, and to pay or receive the balance thereof as the case may require.

4. **To Satisfy Mortgages:** To receive every sum of money which now is or hereafter shall be due or belonging to me upon the security or by virtue of any mortgage and on receipt of the full amount secured thereby to execute a good and sufficient release or other discharge of such mortgage by deed or otherwise.

5. **To Compound, Submit to Arbitration, Etc.:** To compound with or make allowances to any person for or in respect to any debt or demand whatsoever which now is or shall at any time hereafter become due and payable to me, and to take and receive any composition or dividend thereof or thereupon, and to give releases or other discharges for the whole of such debts or demands, or to settle, compromise, or submit to arbitration every such debt or demand and every other right, matter, and thing due to or concerning me as my Attorney shall think best, and for that purpose to enter into and execute and deliver such bonds of arbitration or other instruments as my Attorney may deem advisable in the premises.

**To Prosecute and Defend:** To commence, prosecute, discontinue or defend

all actions or other legal proceedings touching my estate or any part thereof, or touching any matter in which I or my estate may be in any wise concerned.

7. **To Manage Real Estate:** To enter into and upon all and singular my real estate, and to let, manage, and improve the same or any part thereof, and to repair or otherwise improve or alter, and to insure the same and any buildings or improvement thereon.

8. **To Grant Leases, Receive Rents, Etc.:** To contract with any person for leasing for such periods, at such rents and subject to such conditions as my Attorney shall see fit, all of any of my said real estate, and any such person to let into possession thereof, and to execute all such leases and contracts as shall be necessary or proper in that behalf, and to give notice to quit to any tenant or occupiers thereof, and to receive and recover from all tenants and occupiers thereof or of any part thereof all rents, arrears of rent, and sums of money which now are or shall hereafter become due and payable in respect thereof, and also on non-payment thereof or of any part thereof to take all necessary or proper means and proceedings for determining the tenancy of occupation of such tenants or occupiers, and for ejecting the tenants or occupiers and recovering the possession thereof.

9. **To Sell or Exchange Real or Personal Estate:** To sell, either at public or private sale, or exchange any part or parts of my real estate or personal property for such consideration and upon such terms as my attorney shall think fit, and to execute and deliver good and sufficient deeds, assignments, stock, powers, or other instruments for the conveyance or transfer of the same, with such covenants or warranty or otherwise as my Attorney shall see fit, and to give good and effectual receipts for all or any part of the purchase price or other consideration.

10. **To Deposit Monies, Withdraw, Invest, Etc.:** To deposit any monies which may come to my Attorney's hands as such Attorney with any bank or banker in my name, and any of such money or any other money to which I am entitled which now is or shall be so deposited to withdraw, and either employ as my Attorney shall think fit in the payment of any debts, or interest, payable by me, or taxes, easements, insurance, and expenses due and payable or to become due and payable on account of my real and personal estate, or in or about any of the purposes herein mentioned, or otherwise for my use and benefit, or to invest in my name in any stocks, shares, bonds, notes, securities, certificates of deposit, money market or management accounts, government, bank and savings and loan obligations, partnership interests, or other property, real or personal, as my Attorney may think proper, and to receive and give receipts for any income or dividend arising from such investments, and all and any such investments or other investments to vary or dispose of for my use and benefit as my Attorney may think fit. To sign checks and make withdrawals on any bank or savings and loan account or against any certificate of deposit, and to enter any safe deposit box.

5.6.01  
P 3

11. **To Borrow Money, Mortgage, Etc.:** To borrow any sum of money on such terms and with such security, whether real or personal property, as my Attorney may think fit, and for that purpose to execute all promissory notes, bonds, mortgages, and other instruments which may be necessary or proper.

12. **To Carry on or Wind up Business:** To carry on or to wind up any business, and in connection therewith to use the premises in which the same is or shall be carried on, with the same powers of dealing with stock, capital, and effects, and of entering our business engagements, of increasing and diminishing capital, and generally of transacting the affairs of the said business as I, myself, have or should have.

13. **To Engage and Dismiss Agents, Etc.:** To engage, employ, and dismiss any agents, clerks, servants, or other persons in and about the performance of these presents as my Attorney shall think fit.

14. **To Vote at Stockholders' Meetings, Etc.:** To vote at the meetings of stockholders or other meetings of any corporation or company, or otherwise to act as my Attorney or proxy in respect to any stocks, shares, or other instruments now or hereafter held by me therein, and for that purpose to execute any proxies or other instruments.

15. **To Exercise Fiduciary Powers so Far as May be Delegated:** To exercise any powers and any duties vested in me, whether solely or jointly, with any other or others as executor, administrator, or trustee or any other fiduciary capacity, as far as such power or duty is capable of being validly delegated.

16. **To Execute Deeds, Bills, Notes, Etc.:** For all or any of the purposes of these presents to enter into and sign, seal, execute, acknowledge, and deliver any contracts, deeds, or other instruments whatsoever, and to draw, accept, make, endorse, discount, or otherwise deal with any bills of exchange, checks, promissory notes, or other commercial or mercantile instruments.

17. **To Pay Household Expenses:** To pay every month the sum required to meet my ordinary household expenses.

18. **To File Income and Gift Tax Returns and Declarations:** To prepare, sign and file Income and Gift Tax Returns (including, but not limited to, Forms 1040, 1040-EZ, 1040-A, SC 1040, SC 1040-EZ, 709 and SC 709) or Declaration of Estimated Tax (specifically Forms 1040-ES and SC 1040-ES) elected to be filed under the Internal Revenue Code for any taxable year during the period this Power of Attorney continues to be in effect. To sign gift tax returns, consenting to a split gift with any spouse. To irrevocably disclaim, renounce, and/or waive any and all rights to an interest in real, personal, or intangible property to which I may become entitled. Also, to represent me before any office of the Internal Revenue Service with respect to any and all Internal

Revenue tax matters and any and all years or periods. To receive confidential information and to have full power to perform, on my behalf, the following acts with respect to any matter as to which this Power of Attorney shall apply:

- 5607  
P 4
- a. To receive, and to endorse and collect, checks in payment of any refund of Internal Revenue taxes, penalties, or interest;
  - b. To execute waivers (including offers of waivers) of restrictions on assessment or collection of deficiencies in tax and waivers of notice of disallowance of a claim for credit or refund;
  - c. To execute consents extending the statutory period for assessment or collection of taxes; and
  - d. To delegate authority or to substitute another representative.

19. **To Do All Other Things, Etc.:** In general, to do all other acts, deeds, matters, and things whatsoever in or about my estate, property, and affairs, or to concur with persons jointly interested with myself therein in doing all acts, deeds, matters and things herein, either particularly or generally described, as fully and effectually to all intents and purposes as I could do in my own proper person if personally present.

20. **To Appoint Substitutes:** To substitute and appoint in my Attorney's place and stead (on such terms and at such salary or compensation as my Attorney shall think fit) one or more attorney or attorneys to exercise for me as my attorney or attorneys any or all of the powers and authorities hereby conferred, and to revoke any such appointment from time to time, and to substitute or appoint any other or others in the place of such attorney or attorneys as my Attorney shall from time to time think fit.

21. **To Manage Insurance Policies:** To make and file claims and execute any and all necessary forms under any policy of insurance insuring me or a third party and to receipt therefor in my name, which receipt shall be effective to release fully any person or corporation, to pay insurance premiums, to current policies for cash value, to borrow money on insurance policies, to transfer the same and to change the beneficiary on any insurance policy.

22. **To Be Valid in Any Jurisdiction:** This instrument is intended to be a General Durable Power of Attorney, and is to be effective and valid in any state or sovereign state or authority, or any political subdivision or instrumentality thereof, in which I own property, be it realty or personalty, and the enumeration of specific powers herein is not intended in any way to limit the authority of my Attorney to act on my behalf.

23. **Invalid Provisions:** Any provision of this instrument found to be prohibited

by law shall be ineffective to the extent of such prohibition without invalidating the rest of this instrument.

24. **Incompetence of Principal:** This Power of Attorney shall not be affected by physical disability or mental incompetence of the Principal which renders the Principal incapable of managing his or her own estate.

25. **Recordation:** This Power of Attorney shall be probated and recorded in the same manner as a deed.

IN WITNESS WHEREOF, I sign my name (or willingly direct another to sign for me) to this instrument dated in Orangeburg County, South Carolina, the 26 day of JUNE, 2001, and I have directed that photographic copies of this power be made which shall have the same force and effect as an original.

Grace E. Augustine  
Grace E. Augustine

**SIGNED, PUBLISHED AND DECLARED** by the above named Principal, Grace E. Augustine, (or signed in the Principal's name by some other person in the Principal's presence and by her direction), as for her appointment of the above named individuals, as her true and lawful Attorneys-in-Fact with the above described powers of Attorney, in our presence, who, at her request, in her presence and in this presence of each other, have hereunto subscribed our names as witnesses hereto.

Kimberly M. Cooke  
Witness

Address Rt. 1, Box 149A  
Ellenore, SC 29047

Leola E. Shuler  
Witness

Address 1112 Dibble St.  
Brownson, SC 29018

39046

STATE OF SOUTH CAROLINA

PROBATE

COUNTY OF CALHOUN

*SEA*  
*76*

**PERSONALLY** appeared before me the undersigned witness, who made oath that (s)he saw the within named Grace E. Augustine sign (or saw some other person sign the Principal's name, in her presence and by her direction) and as her act and deed, deliver the within written General Durable Power of Attorney, and that (s)he with the other witness named above witnessed the execution thereof.

Kimberly M. Cook

SWORN to before me this 26<sup>th</sup>

day of June, 2001.

Sadie E. Shuler (L.S.)

Notary Public for South Carolina

My Commission Expires: 09/22/07

I hereby certify that the within  
General Durable Power of Attorney  
was filed for record in my office at  
12:03 P.M. o'clock on the 26<sup>th</sup> day  
of June, 2001, and was  
immediately entered upon the proper  
indexes and duly recorded as

10 B. 154, P. 161  
L. Keith Hines  
CLERK OF COURT FOR CALHOUN COUNTY  
ST. MATTHEWS, S.C.

State of Oregon, County of Klamath  
Recorded 08/03/01 at 3:08 p.m.  
In Vol. M01 Page 39041  
Linda Smith,  
County Clerk Fee \$ 46.00