**STATE OF SOUTH CAROLINA )**

**) DURABLE POWER OF ATTORNEY**

**COUNTY OF CHARLESTON )**

**KNOW ALL MEN BY THESE PRESENTS** that I, , of the County of , State of South Carolina, do hereby constitute and appoint , of the County of , State of South Carolina, as my true and lawful Attorney to set in, manage, and conduct all my estate and all my affairs for me and in my name, place and stead, for my use and benefit, and as my act and deed, to do and execute, or to concur with persons jointly interested with myself therein in the doing and executing, with the full power to have and to exercise the following powers in a fiduciary capacity, without authoriza­tion of any court and in addition to any other rights, powers, or authority granted by statute or general rule of law. I hereby revoke any previous powers of attorney given by me.

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DO PROPER ESTATE PLANNING

I further constitute and appoint as my true and lawful Standby Attorney, who may sign for me as my Standby Attorney, to set in, manage, and conduct all my estate and all my affairs for me and in my name, place and stead, to succeed to all the powers of my original Attorney in the event my first‑named Attorney shall not be living, or competent to act, or shall resign, or be removed by me:

**POWERS IN GENERAL**

SAMPLE

* + 1. To sell or exchange, mortgage, convey, lease, contract with respect to, or option any property of mine, whether real, per­sonal or mixed, which I may now own or hereafter acquire, speci­fically including, but not limited to real estate, stocks, bonds or other securities, upon such terms and conditions (including credit) my Attorney deems best in my Attorney's absolute discretion;
		2. To sign checks withdrawing or transferring funds or money from any financial institutions, including banks, savings and loan associations, insurance companies and brokerage houses, in which money may be deposited in my name alone or in joint name with someone else, and to accept, sign, seal, negotiate, acknowledge, collect and endorse any checks, drafts or other instruments for the payment of money, including Social Security and other United States Government checks and any state government checks;
		3. To modify or close accounts at any financial institution, including bank, savings and loan association, insurance company and brokerage house, in which money may be deposited in my name alone or in joint name with someone else; and to establish or open accounts at any financial institution, including bank, savings and loan association, insurance company and brokerage house that my Attorney may select;

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* + 1. To pay my legally enforceable debts and the expenses related to my comfortable maintenance; and to pay any charitable pledges that I have made; and to hire, fire or retain employees of mine and to reasonably compensate them for services rendered;

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* + 1. To be my lawful proxy and to vote any stock or security I may own or hereafter acquire, and to exercise all rights, privi­leges and options to said stocks and securities, including parti­cipa­tion in plan(s) of reorganization, consolidation and/or merger;
		2. To receive, take, hold, possess, invest, manage, col­lect, compromise and/or forgive any monies or other property which may become due me and to give receipts therefor;
		3. To borrow money and execute notes or other instruments secur­ing the repayment and to pledge as security therefor any stocks, bonds, securities, or property which I may own, and/or to mortgage any real or personal property which I may own, in order to secure said loan;
		4. To maintain, protect, preserve, remove, store, transport, repair, build on, rebuild, alter, modify or improve any real or personal property of mine or any part thereof;
		5. To invest and reinvest from time to time any funds, money or property which I may own, in my Attorney's absolute discretion, in any property of any type;
		6. To prepare, file and sign on my behalf tax and other forms or returns as may be required by any City, County or State of the Union and the United States of America, and claims for refund, including but not limited to income tax returns, gift tax returns and property tax returns for any and all tax years; and to represent me at tax audits and file protests on my behalf; and to execute any powers of attorney required by the Internal Revenue Service (including but not limited to IRS Form 2848) or any state tax authority for my Attorney in fact to act on my behalf;

SAMPLE

* + 1. To redirect my mail; and the right to open, read and respond to my mail in any manner my Attorney reasonably deems best;
		2. To resign on my behalf any offices or positions I may hold;
		3. To do all acts necessary to maintain my spouse, if any, and to ful­fill my general obligation to support my spouse in my spouse's general standard of living to the extent of my financial ability;

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* + 1. To change my legal residence or domicile, whether I am competent or not;
		2. To have access to any safety deposit box(es) as may be leased by me or by me with another, and to inventory it, and to withdraw anything or everything from my safety deposit box(es);

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* + 1. To initiate or engage in legal proceedings of any nature, including but not limited to legal, equitable or adminis­trative proceedings, on my behalf as either plaintiff, defendant, peti­tioner, respondent or in any other capacity; and to settle or compromise any such actions on my behalf;
		2. To acquire and continue insurance on any of my property or for my benefit or on my life and to exercise all options and elections permit­ted by said contracts of insurance on my behalf including increasing or decreasing coverage or converting the policy or policies;
		3. To purchase United States Government bonds redeemable at par in the payment of United States estate taxes imposed at my death upon my estate;
		4. To take custody of my will, any insurance policies, any trust agreements or any other estate planning documents that I have created or established;
		5. To establish trust funds, revocable or irre­vocable, funded or unfunded, for the benefit of me, my spouse, my children and my lineal descendants; to enter into business buy-sell or redemption agreements on my behalf; to amend, reform or revoke any estate planning documents (other than my will) which I have created or established including any business buy-sell or redemption agreements to which I am a party;

SAMPLE

* + 1. To transfer, assign and convey any or all of my assets to my spouse, children, and lineal des­cendants (including my said Attorney) by gift, or to any trust that I have established or I might hereafter create, or that my said Attorney might establish on my behalf pursuant to any paragraph hereof;
		2. And, generally, to do and perform all and every act, deed, matter, and thing to manage and control my property and affairs and to execute any and all instruments necessary or expedient for that purpose as I might do, if personally present.

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**GENERAL PROVISIONS**

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* + 1. **AND I**, , do hereby ratify and confirm all acts of my Attorney, and do declare that all acts and deeds performed under this instrument shall have the same full force and effect as if performed and signed by me in person, and this instrument shall be effective until revoked in writing and filed in the public records of the county first set out above or shall cease by operation of law and is binding upon myself, my heirs, devises, legatees, beneficiaries, legal representa­tives, and assigns.
		2. This instrument is to be construed and interpreted as a general power of attorney without limitation or reservation. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to my said Attorney.

* + 1. This power of attorney shall not be affected by the physical disability or mental incompetence of the principal which renders the principal incapable of managing the principal's estate.
		2. My Attorney may resign at any time by giving written resignation to me and filing a copy of said resignation in the public records of the county first set out above.

SAMPLE

* + 1. My Attorney may be removed by me or this power of attorney may be amended or revoked by me by my filing a written instrument in the public records of the county first set out above.
		2. My Attorney and my Attorney's heirs and assigns are hereby released by me and my heirs and assigns from any liability whatsoever on account of any failure of my Attorney to act pursuant to this power of attorney.
		3. Notwithstanding any other provision to the contrary, my Attorney shall not satisfy my Attorney's legal obligations out of any of the property subject to this power of attorney, nor may it be exercised in favor of my Attorney's estate, my Attorney's credi­tors, or the creditors of my Attorney's estate.
		4. My Attorney shall not be required to file an accounting or inventory with any Court, but shall maintain accurate records and/or books of account in order to account to me or my heirs or my Personal Representatives. I direct that no surety bond or security shall be required of my Attorney, even after my mental disability.

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* + 1. Notwithstanding any other provision herein to the contrary, my Attorney shall not have any power with respect (a) to any life insurance policy I may own on the life of my Attorney or (b) any trust created by my Attorney as to which I am a trus­tee, if any.

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* + 1. The limitation upon my Standby Attorney to act shall not apply if my Standby Attorney executes and delivers an affidavit that the limitations upon such acting no longer apply. Anyone dealing with my Standby Attorney may rely upon such affidavit.
		2. My Standby Attorney shall not be liable or responsible in any way for the acts or defaults of any predecessor Attorney.

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SAMPLE

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SIGNED, SEALED, PUBLISHED AND DECLARED** by the principal, as and for the principal's Power of Attorney in the presence of us, who at the principal's request, in the principal's presence and in the presence of each other, have hereto subscribed our names as witnesses hereto.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**STATE OF SOUTH CAROLINA )**

SAMPLE

 **) PROBATE**

**COUNTY OF CHARLESTON )**

PER­SONALLY appeared before me the below signed witness and made oath that (s)he saw the within principal sign, seal, and as the principal's act and deed deliver the within Power of Attorney and that (s)he with the other witness witnessed the execution thereof.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SWORN to before me this

\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(SEAL)

Notary Public for South Carolina

My Commission expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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