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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

IOWA STATUTORY POWER OF ATTORNEY
THE IOWA STATE BAR ASSOCIATION
Official Form No. 120
Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Mark A. Roeder, 119 E. Main St. Manchester, Iowa 52057-1736
Phone: (563) 927-2782

Taxpayer Information: (name and complete address)

Everett W. Kennedy, 2459 120th Ave., Manchester, IA 52057

Return Document To: (name and complete address)

ⓧ Mark A. Roeder, 119 E. Main St. Manchester, Iowa 52057-1736

Grantors:

Everett W. Kennedy

Grantees:

Mildred Kennedy and Everett J. Kennedy

Legal Description:

Document or instrument number of previously recorded documents: _____



IOWA STATUTORY POWER OF ATTORNEY

1. POWER OF ATTORNEY

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including but not limited to your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to compensation unless you state otherwise in the optional Special Instructions.

If you have questions about this power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, **Everett W. Kennedy**, name the following persons as my coagents:

Mildred Kennedy
2459 120th Ave.
Manchester, IA 52057
Ph.: (563) 927-2910

Everett J. Kennedy
1871 160th Ave
Manchester, IA 52057
Ph. (563) 920-3488

If impasse occurs due to the failure of both agents to agree upon a course of action on a particular issue, either agent may petition the court to decide the issue, or my coagents may consent to an alternative form of dispute resolution.

Either agent may sign checks to pay my bills without requirement of two signatures.

If **Mildred Kennedy** is unable or unwilling to act for me, I designate whomsoever she has appointed as her agent under an Iowa Statutory Power of Attorney to act as my coagent under this power of attorney (I understand her agent is **Evelyn Moore**, and her successor agent is **Julia Harbaugh**). If **Everett J. Kennedy** is unable or unwilling to act as my agent, my remaining agent is authorized to act alone.

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B:

(Initial each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☐ Real Property
- ☐ Tangible Personal Property
- ☐ Stocks and Bonds
- ☐ Commodities and Options
- ☐ Banks and Other Financial Institutions
- ☐ Operation of Entity or Business
- ☐ Insurance and Annuities
- ☐ Estates, Trusts, and Other Beneficial Interests
- ☐ Claims and Litigation
- ☐ Personal and Family Maintenance
- ☐ Benefits from Governmental Programs or Civil or Military Service
- ☐ Retirement Plans
- ☐ Taxes

EWK All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent shall not do any of the following specific acts for me unless I have initialed the specific authority listed below:

(Caution: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. Initial only the specific authority you WANT to give your agent.)

- ☐ Amend, revoke, or terminate a revocable inter vivos trust, if authorized by the trust.
- ☐ Agree to the amendment or termination of any other inter vivos trust.
- ☐ Make a gift to an individual who is not an agent, subject to the limitations of the Iowa Uniform Power of Attorney Act, Iowa Code § 633B.217, and any special instructions in this power of attorney.

Make gifts, either direct or indirect, to my agent acting under this power of attorney as follows:

- ☐ Any such gift must be approved in writing by _____;
- ☐ or
- ☐ No third-party approval is needed.
- ☐ Authorize another person to exercise the authority granted under this power of attorney.
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.

- ____ Exercise fiduciary powers that the principal has authority to delegate.
____ Disclaim or refuse an interest in property, including a power of appointment.

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant shall not use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the optional Special Instructions.

SPECIAL INSTRUCTIONS

I hereby revoke all general or plenary powers of attorney previously executed, excluding powers of attorney described in Iowa Code § 633B.103, excluding my healthcare power of attorney, and excluding powers of attorney limited to a specific and identifiable action or transaction, which action or transaction is still capable of performance but has not yet been fully accomplished by the agent.

Everett J. Kennedy, Evelyn Moore, and Mildred Kennedy shall have the authority to request an accounting of the acts and transactions of any agent.

EFFECTIVE DATE

This power of attorney is effective immediately upon signature and acknowledgment.

NOMINATION OF CONSERVATOR AND GUARDIAN

If it becomes necessary for a court to appoint a conservator, or guardian of my person, I nominate the following person(s) for appointment:

Mildred Kennedy

If **Mildred Kennedy** is unable or unwilling to serve as conservator or guardian of my person I nominate **Everett J. Kennedy** to serve in such capacities.

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGMENT

Everett W. Kennedy

Oct 19, 2020

Your Signature

Date

Everett W. Kennedy

Your Name Printed

2459 120th Ave., Manchester, IA 52057, IA

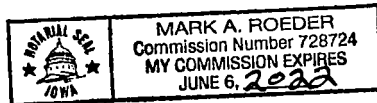
Your Address

(563) 927-2910

Your Telephone Number

STATE OF IOWA, COUNTY OF DELAWARE) ss:

This document was acknowledged before me on October ²⁰~~12~~, 2020, by Everett W. Kennedy.



Mark A. Roeder

Signature of Notary Public

This document prepared by Mark A. Roeder, 119 E. Main St. Manchester, Iowa 52057-1736

2. IMPORTANT INFORMATION FOR AGENT

AGENT'S DUTIES

When you accept the authority granted under this power of attorney, a special legal relationship is created between the principal and you. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must do all of the following:

Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest.

Act in good faith.

Do nothing beyond the authority granted in this power of attorney.

Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as agent in the following manner:

Everett W. Kennedy by Mildred Kennedy as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also do all of the following:

Act loyally for the principal's benefit.

Avoid conflicts that would impair your ability to act in the principal's best interest. Act

with care, competence, and diligence.

Keep a record of all receipts, disbursements, and transactions made on behalf of the principal.

Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest.

Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

TERMINATION OF AGENT'S AUTHORITY

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include any of the following:

Death of the principal.

The principal's revocation of the power of attorney or your authority.

The occurrence of a termination event stated in the power of attorney.

The purpose of the power of attorney is fully accomplished.

If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

LIABILITY OF AGENT

The meaning of the authority granted to you is defined in the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B. If you violate the Iowa Uniform Power of Attorney Act, Iowa Code chapter 633B, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.