

**Durable Power of Attorney**  
**With General Powers for Financial and all Other Purposes**  
of \_\_\_\_\_ dated \_\_\_\_/\_\_\_\_/20\_\_

I, \_\_\_\_\_, a resident of \_\_\_\_\_, appoint my beloved **husband/wife**, \_\_\_\_\_, a resident of \_\_\_\_\_, my true and lawful attorney-in-fact. This power of attorney shall not be affected by subsequent disability or incapacity (as later defined) of the principal, or lapse of time.

**THIS POWER OF ATTORNEY AUTHORIZES THE PERSON NAMED BELOW AS MY ATTORNEY-IN-FACT TO DO ONE OR MORE OF THE FOLLOWING: TO SELL, LEASE, GRANT, ENCUMBER, RELEASE, OR OTHERWISE CONVEY ANY INTEREST IN MY REAL PROPERTY AND TO EXECUTE DEEDS AND ALL OTHER INSTRUMENTS ON MY BEHALF, UNLESS THIS POWER OF ATTORNEY IS OTHERWISE LIMITED HEREIN TO SPECIFIC REAL PROPERTY.**

In addition, my attorney may act for me, in my name, place and stead, in all matters pertaining to my estate, property, business or other interests and affairs and shall have full, plenary and complete power to do and execute or to concur with persons jointly interested with myself in the doing or executing of all or any acts or deeds on my behalf, including, but not limited to, the following powers:

**1. To Buy and Sell Property.**

To buy, receive, lease or otherwise acquire; to grant, bargain, sell, convey, mortgage, hypothecate, pledge, quit-claim or otherwise encumber or dispose of; to contract for the acquisition, encumbrance or disposal of any property, real, personal or mixed, or any rights, title or interest to any property on any terms or considerations which my attorney considers proper; and to execute any instruments necessary to complete any such transaction, including, but not limited to, general and special warranty deeds, quit-claim deeds, mortgages and deeds of trust.

**2. To Invest and Reinvest Assets.**

To invest or reinvest any of my assets in such mortgages, deeds of trust, stocks, common trust funds, insurance policies or contracts, leases, real estate, securities or other properties as my attorney considers proper.

**3. To Deal With Accounts at Financial Institutions.**

To deposit and withdraw, in my name, the name of my attorney, or jointly in our names, in or from any banking institution, savings and loan association or other financial institution any funds, credits, instruments or moneys which may now be in or come into my attorney's hands, as such attorney or which I may now have on deposit or to which I may now be

or later become entitled, including the power to sign checks on my behalf as drawer and to negotiate checks made payable to me, as to any checking or savings account, money market fund or other similar account, held in my name alone or with others.

**4. To Safekeep Assets.**

To hold and preserve for safekeeping any and all of the assets and securities which I may own or have an interest in, in such safe deposit vaults, safe deposit boxes or other places of safekeeping as my attorney may select; and to have unlimited access to and use of, including the authority to remove any or all contents from, any safe deposit box or other place(s) of safekeeping held in my name alone, or with others.

**5. To Possess and Manage Property.**

To take, hold, possess, invest, lease and otherwise manage any and all of my securities, assets and other property; to demand, sue for, receive and give effectual discharges for all the dividends, rents, proceeds and profits now due or which shall become due in respect of any of my securities, assets or other property.

**6. To Borrow Money.**

To borrow any sums of money in my name and upon such terms as my attorney shall see fit and to pledge, mortgage or give as security any or all of my property.

**7. To Deal with Insurance Policies and Death Benefits.**

To change, alter, modify, cancel, borrow against, receive the benefits from, cash in, or in any other similar manner exercise incidents of ownership in and to any life insurance policies, annuity contracts or endowment contracts which I now or may later own or act in any manner with respect to any other death benefits which may now or later be payable, by contract or otherwise, upon my death.

**8. To Deal with Employee Benefits.**

To select any payment option under any IRA or employee benefit plan in which I am a participant (including any plans for self-employed individuals) or to change any payment option I might have selected; to make and change beneficiary designations for such plans (including naming my attorney-in-fact as the beneficiary, if doing so is consistent with my overall estate plan); to make "rollovers" and/or trustee to trustee transfers of plan benefits from any retirement plan(s) to an IRA, including rollovers or trustee to trustee transfers from one IRA to another IRA, and to negotiate and establish the terms of the rollover or new IRA; to make withdrawals from any IRA or employee benefit plan, whether or not I had begun making withdrawals; to determine the investments in any self directed retirement plan or IRA as my attorney-in-fact may determine; and to make any other elections in respect of any retirement benefits, including any IRA, that I could make.

**9. To Execute Instruments.**

To make, endorse, accept, receive, sign, seal, execute, acknowledge and deliver deeds, assignments, agreements, contracts, certificates (including stock and bond certificates), hypothecations, checks, notes, vouchers, receipts, releases and such other instruments of whatever nature as may be necessary, convenient or proper.

**10. To Bring or Defend Legal Suits.**

To institute, prosecute, defend, compromise or arbitrate all legal, equitable or administrative actions, suits, attachments, or other proceedings, or otherwise engage in litigation in my name or in the name of my attorney.

**11. To Act as Proxy With Respect to Securities.**

To act as my attorney or proxy in respect to any stocks, securities, bonds, shares or other investments, rights or interests I may now or later hold, to vote any of my securities or shares at the meetings of any company or companies, upon any and all corporate matters, and otherwise to act as my proxy or representative in respect to any securities or shares I now hold or may later acquire, and for that purpose also to sign and execute any proxies or other instruments in my name and on my behalf; and to place any such securities or shares in any voting trust or voting agreement of any type and for any period of years.

**12. To Receive Social Security Payments and Other Government Benefits.**

To execute and deliver vouchers on my behalf for any and all allowances and reimbursements properly payable to me by the United States, and to receive, endorse and collect checks payable to my order drawn on the Treasurer or other fiscal officer or depository of the United States, or of any state, or political subdivision or instrumentality.

**13. To File Tax Returns.**

To prepare, execute and file income, gift and other tax returns and other government reports, applications, requests and documents, and to pay any and all related taxes, interest and penalties, to represent me before the Treasury Department of the United States and/or the taxing authority of any state or jurisdiction in connection with any matter involving my federal or state tax liability of any nature for any years, giving my attorney full power to do everything necessary and to receive refund checks, to execute waivers of the statute of limitations, and to execute closing agreements, to file claims for refund and to prosecute such claims in any federal or state courts as fully as I might do if done in my own capacity.

**14. To Arrange Medical and Health Care Services.**

To make such expenditures for the comfort, support, health and welfare of myself and my husband/wife and any member of my family who is financially dependent on me as my attorney shall determine; in connection therewith to pay all medical, household, and other expenses as my attorney shall determine, including the payment of any or all expenses or bills incurred by me; to retain in attendance or engage for me such physicians as my attorney shall

determine; to provide for my care in such hospital, nursing home, health center, convalescent home, retirement home or similar institution as my attorney shall determine; and to take all steps to provide for my medical and hospital treatment as may be recommended by my physicians, including any retention in such hospitals and homes as shall be recommended by my physicians; provided that the powers granted to my attorney shall specifically exclude any power to make health care decisions for me, to the extent I have granted such powers to another attorney pursuant to that certain [Advance Directive] [Living Will] executed by me on the same date as this instrument.

**15. To Provide Insurance Coverage.**

To carry property and casualty insurance as my attorney deems advisable to protect my assets against any hazard, to claim any benefits or proceeds on my behalf, and to purchase or continue medical or disability insurance for me or any dependent of mine, and to pay all related premiums or other charges.

**16. To Hire Experts.**

To employ attorneys, investment counsel, accountants and others to render services to me or in respect of my assets and/or my estate, and to pay reasonable fees and compensation for their services.

**17. To Make Gifts.**

To make gifts of my cash funds, or any other property I may own, on my behalf, outright or in trust, in such amounts as my attorney considers appropriate (and for such purpose to make withdrawals from time to time of property or cash from any bank account, investment account or revocable trust which I may have created, in such amounts as my attorney considers appropriate), to and among my wife/husband and my then living descendants (including my attorney if he or she is a descendant of mine); provided, however, that unless I otherwise expressly direct my attorney in writing, (a) all gifts made on my behalf by my attorney to my children in any calendar year shall be made in equal amounts for each of my then living children, (b) all gifts made on my behalf by my attorney in any calendar year to my grandchildren, if any, shall treat my grandchildren on a per capita and not a per stirpes basis, and (c) the amount given to each child, grandchild or other descendant of mine shall not exceed the total of the amount qualifying for the federal gift tax annual exclusion (including any exclusion available under the split gift provisions with respect to gifts treated as being made jointly by myself and my wife) plus amounts qualifying as payments for the educational expenses and medical care of my descendants as are allowed by Section 2503(e) of the Internal Revenue Code of 1986 (or any similar provision of any future Federal tax laws).

In addition, my attorney may make gifts on my behalf to one or more charitable organizations in such amounts as my attorney deems appropriate in order to continue my regular pattern of annual charitable giving, taking into consideration my past giving and pledging history, my special charitable interests and any special needs (such as capital campaigns) of any of the charities I have given to in the past. While it is not my intent that my attorney be required to give the exact same amounts to all of the organizations I have given to in any one prior year,

the total charitable gifts made on my behalf by my attorney in any one calendar year shall not exceed the average percentage of my total assets which I have given during the preceding [3/5/10] years.

**18. To Disclaim a Gift or Devise.**

To disclaim on my behalf all or any part of any interest in property to which I may be or become entitled by way of gift, devise or otherwise; and to execute any documents which, in the discretion of my attorney, may be necessary or appropriate to evidence the disclaimer.

**19. To Receive Payments of Trust Income and Principal.**

To withdraw and/or receive on my behalf the income or corpus of any trust of which I am a beneficiary over which I may have a right of receipt or withdrawal; to request and receive on my behalf the income or corpus of any trust of which I am a beneficiary with respect to which the Trustee(s) have the discretionary power to make distributions to me or on my behalf, and to execute and deliver to the Trustee(s) a receipt and release or similar document for the income or corpus so received.

**20. To Make Anatomical Gift.**

To make a gift of all or part of my body at my death under the Uniform Anatomical Gift Act.

**21. To Nominate Guardian or Conservator.**

To nominate a guardian, conservator or adult personal custodian (including my attorney) to act on my behalf.

**22. Special Real Estate Powers.**

To possess, manage and control, to sell, exchange, lease, grant options, rent, mortgage, assign, improve, maintain, repair, rehabilitate, modernize, remodel, transfer or otherwise deal with any and all real property in which I may have an interest from time to time, including without limitation, the real property commonly described and known as \_\_\_\_\_, upon such terms and conditions as my attorney may think proper; to insure the real property against loss by fire or other hazards; to abstain from the payment of, or to pay in installments, any taxes, water rents, sewer rents, assessments, repairs, maintenance and upkeep of the real property; and to sue for, receive and give effectual discharges for all rents, proceeds and profits now due in respect of any of the real property.

**23. To Continue Business.**

To continue the operation of any business belonging to me or in which I have an interest for such time and in such manner as my attorney considers advisable, or to sell or liquidate any business, or interest in the business, at such time and on such terms as my attorney considers advisable and in my best interests.

**24. To Establish a Revocable Trust.**

To establish a Revocable Trust for my sole benefit during my lifetime and for the benefit of my Shari'ah Assigned heirs after my death as are then provided for in the schedule of Mawarith attached to my then most current Will or published by the Islamic Society of North America (ISNA); provided, however, that my attorney shall have the power to create such a trust only if I have not then already established such a Trust; and provided further, that the provisions of any such trust pertaining to the distribution of the trust property following my death must be on the same terms and conditions and for the benefit of the same beneficiaries as those provided under my then most current Will; and provided further, that the terms of any such trust must be able to be modified, amended or revoked by me and the assets of such a trust must be able to be withdrawn by me by a written request delivered to the Trustee(s).

**25. To Transfer Assets to Revocable Trust.**

To transfer from time to time and at any time to the Trustee or Trustees of any Revocable Trust Agreement created by me or by my attorney pursuant to Section 24 as to which trust I am, during my lifetime, a primary income and principal beneficiary, any and all of my cash, property or interests in property, real or personal and including any rights to receive income from any source; and for this purpose to enter and remove from any safe deposit box of mine (whether the box is registered in my name alone or jointly with one or more other persons) any of my cash or property and to execute such instruments, deeds, documents and papers to effect these transfers as may be necessary, appropriate, incidental or convenient; provided, that my attorney is not authorized to revoke, amend or free any principal from the terms of any such Trust other than as may be needed to make gifts authorized under Section 17 or to otherwise take any action in derogation of the powers and authority conferred on the Trustee or Trustees by the terms of the instrument(s) which established (and which may later amend) such Trust.

**26. To Create or Change Survivorship Interests in Property.**

To retitle any of my property or interests in property, whether real or personal, (i) in the name of myself and one or more persons as joint tenants with right of survivorship, or (ii) to remove the name of any existing joint tenant where the property is solely mine and the joint tenant furnished no consideration for the acquisition of the property or for the creation of the joint tenancy, or (iii) to join with the other joint tenant(s) to convert a joint tenancy to tenancy in common with no right of survivorship; and to execute all documents, deeds or other instruments which my attorney considers to be necessary or appropriate to retitle the property or interest.

**27. To Appoint Substitute Attorney-in-Fact.**

To substitute and appoint from time to time one or more substitute attorney(s) under my attorney, such substitute attorney(s) to have the same or, at the option of my attorney, more limited powers than my original attorney.

**28. Successor Attorneys.**

In the event that my attorney shall resign, die or become incapable of acting as my attorney, I appoint \_\_\_\_\_, a resident of \_\_\_\_\_, and then \_\_\_\_\_, a resident of \_\_\_\_\_, one at a time and in the order named, as successor attorney having all the powers granted to my original attorney. If I have not designated one or more individuals as successor attorney(s) under this Paragraph, then the individual(s) appointed in writing by my

original attorney shall serve as successor attorney(s) in the order designated by my original attorney.

**29 Commitment to the Shari'ah (Islamic Law).**

I instruct and direct my attorney-in-fact, substitute attorneys and successor attorneys that they should make their best and utmost effort to assure that all and any actions, decisions, contracts, transactions, etc., taken for me, in my name and/or on my behalf are done within the limits and boundaries of the Islamic Law (Shari'ah) especially but not limited to matters related to the prohibition of interest and interest-based transactions, my financial obligation toward my spouse and protecting her property rights in joint and community properties, distribution of my estate, actions taken during my final illness or after my death that may affect the rights to full and immediate distribution to my then qualified heirs as mentioned in my Last Will/Living Trust or in the Schedule of Mawarith published by ISNA and/or the Website of Monzer Kahf. In case they do not know the Shari'ah position on an issue I instruct and direct them to consult with a Shari'ah expert before an action is taken and if they do not know an expert they should seek information from ISNA or the Fiqh Council of North America.

GIVING AND GRANTING to my attorney full general power and authority to do and perform any act, deed, matter and thing in and about my estate, property and affairs as fully and as effectively as I could in my own proper person do if personally present. The above specially enumerated powers are in aid and exemplification of the general powers I grant to my attorney for all purposes and not in limitation or derogation; and I ratify all that my attorney shall lawfully do or cause to be done pursuant to this power of attorney; and I declare that any act or thing lawfully done by my attorney pursuant to this power of attorney shall be binding on me, my heirs, legal and personal representatives and my assigns, whether it is done before or after my death or other revocation of this instrument, unless and until my attorney receives reliable intelligence or notice.

I revoke any and all other powers of attorney which I may have executed at any time prior to the execution of this instrument, with the exception of the Advance Directive executed on the same date as this instrument.

I expressly covenant and agree with my attorney that the powers conferred by this power of appointment shall continue in full force against me, my heirs, executors, administrators and assigns, notwithstanding the express or implied revocation hereof by my death, or otherwise, until actual notice is given to my attorney.

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