

page 1

Chapter 3 - What One Man Can Do: Another Man Can Do!

D) Has It Been Done Before? What were the Results?

In January of 2006, I was faced with a problem which I had been aware of for some time; but, now the problem was evident to others. In 1996, my Dad, John E. Kirk, stated to me, "You are going to have to take care of your step-mother." I did not want to do this 'thing' and I protested for about 10 seconds. The time-frame was sooo long because I knew that I could not refuse my Dad's request(order)!

By the time I was 7, I thought there was something wrong with my step-mom. By the time I was 10, I was sure there was something wrong with her. I could not prove it. And, I did not know what 'it' was that I was supposed to 'prove'. Over the years more incidents occurred which set-off my alarm bells. Finally, in 1992, my Dad witnessed 'the event' which proved to him that something was real, real, real wrong with her. She professed a great acceptance and welcoming of the 'buy and sell' clause in the Book of Revelations. I knew and so did Dad! Dad died a short time after getting my acceptance of taking care of Frances.

Frances was having dementia problems in January 2006 which others now 'saw'. They would not believe me for a few years before this date. As they would not believe me at that time, Jan. 2006, that she had stage II Aielesheimer Disease which for those which have not done the research is also known as Crutsfield/Jacobson's Disease which is more known as 'Mad Cow Disease'. All are one and the same. And a disaster for all which are involved in said 'programed disease'.

So, now I was faced with this problem. Over the years, my Dad had told me that a 'guardianship' is more than a nightmare and never to become involved with same. The 'power-of-attorneys' which were involved in these type of medical problems was not at all acceptable to me as they violated numerous areas of THE FATHER's LAWS and would not solve certain further problems which would become evident as the disease progressed.

I sat down and asked THE FATHER for help. The result is the material of this Part D of Chapter 3. I have been told that there is no other power-of-attorney like the enclosed. The results were spectacular. The actual attorney involved was amazed as this never had been done before according to her.

This unique power-of-attorney is offered to those with family problems. Your failure to listen to the verbal of this offering will not make me happy and probably cause you to be in error in many ways. Further, you will not 'get-it' about other uses.

page 2


DURABLE FAMILY POWER OF ATTORNEY

BY THIS DURABLE POWER OF ATTORNEY, I, **JULIA FRANCES PARKER KIRK**, usually known as **FRANCES P. KIRK** of Miami-Dade County, Florida, appoint as my attorney-in-fact to manage my affairs my son, **JERRY F. KIRK**. My son **JERRY F. KIRK** shall be bound first by the highest law(s) known to exist - those of THE FATHER in Heaven - which are supreme and all mighty. "Honor they Father and Mother" is a responsibility and duty which is non-negotiable. My son **JERRY F. KIRK** is bound by this now and so shall attest by his notarized signature at this portion of durable and non-revocable power of attorney. This instrument revokes any previous Durable Power of Attorney executed by me.

Jose M. Tabares Jose M. TABARES
Witness - Printed Name
M. Silvia Guzman M. Silvia Guzman
Witness - Printed Name

Jerry F. Kirk
Jerry F. Kirk, Sui Juris
Calf Creek Township
Section 19, Township 14 N., Range 17 W.
Search County, Arkansas
Non-Resident, Non-Domestic Delivery
c/o HC 75, Box 267
Witts Springs, Arkansas Republic
United States of America

SWORN to and subscribed before this 9th day of February, 2006, by (Affiant) who is personally known to me or who provided a photo id: Drivers License from Arkansas as identification, and who did not take an oath, but rather a vow before THE FATHER in Heaven.

Elizabeth S. Baker
Notary Public, Florida the State
Printed Name: Elizabeth S Baker
My Commission Expires  Elizabeth S. Baker
My Commission DD253590 Expires December 12, 2007
Commission No.: _____

This Durable Family Power of Attorney shall not be affected by any physical or mental disability that I may suffer except as provided by Florida Statute 709.08, nor by the lapse of time. It shall be exercisable from this date, and it shall be irrevocable.

All acts done by my attorney-in-fact pursuant to this power shall bind me, my heirs, devisees and individuals charged with responsibilities pursuant to my last Will and Testament.

All of my property and interest in any property and all of my health, welfare and safety are subject to this Durable Family Power of Attorney. I am granting my attorney-in-fact broad authority to act on my behalf in matters concerning my health, safety and welfare.

page 3

Kirk Power of Attorney

Without limiting the broad powers conferred by the preceding provisions, I expressly authorize my attorney-in-fact to:

1. Collect all sums of money and other property that may be payable or belong to me, and to execute receipts, releases, cancellations and/or discharges.
2. Settle any account in which I have any interest and to pay or receive the balance of the account as the case may require.
3. Enter any safe deposit box or other place of safekeeping standing in my name alone or jointly with another and to remove the contents and to make additions, substitutions and replacements.
4. Borrow money on such terms and with such security as my attorney-in-fact may think fit and to execute all notes, mortgages and other instruments that my attorney-in-fact finds necessary or desirable.
5. Draw, accept, endorse or otherwise deal with any checks or other commercial or mercantile instruments, specifically including the right to make withdrawals from any savings account or building and loan deposit. This document authorizes my attorney-in-fact to open and close accounts, transfer any and all accounts and/or consolidate all accounts.
6. Redeem bonds issued by the United States Government or any of its agencies, any other bonds and any certificates of deposit or other similar assets belonging to me.
7. Sell bonds, shares of stock, warrants, debentures, or other assets belonging to me, and execute all assignments and other instruments necessary or proper for transferring them to the purchaser(s), and give good receipts and discharges for all money payable in respect to them. My attorney-in-fact may choose where and how to deposit all proceeds.
8. Invest the proceeds of any redemptions or sales and any other of my money, in bonds, shares of stock and other securities as my attorney-in-fact shall think fit.
9. Vote at all meetings of stockholders of any company and otherwise act as my attorney-in-fact or proxy in respect to my shares of stock or other securities or investments that now or hereafter belong to me, and appoint substitutes or proxies with respect to any of those shares of stock.
10. Execute in my behalf any tax return and act for me in any examination, audit, hearing, conference or litigation relating to taxes, including authority to file and prosecute refund claims, and enter into any settlements.

page 4

Kirk Power of Attorney

11. Sell, rent, lease for any term, or exchange any real estate or interest therein for such consideration and upon such terms and conditions as my attorney-in-fact may see fit, and execute, acknowledge and deliver all instruments conveying or encumbering title to property owned by me alone as well as any owned by me and any other person jointly. This Durable Family Power of Attorney includes the right to sell the home I have been living in.
12. Prosecute, defend and settle any and all actions or other legal proceedings relating to my estate or any part of it or any matter in which I may be concerned in any way.
13. Make gifts of any real or personal property to members of my family as my attorney-in-fact shall see fit, not, however, exceeding the federal annual gift tax exclusions at the time of the gift; the current amount is \$10,000.00.
14. Do anything regarding my estate, my person, my health care issues, my medical care, my property and affairs that I could do myself.

The powers conferred upon my attorney-in-fact extend to all of my right, title and interest in property in which I may have an interest individually or jointly with any other person, whether in an estate by the entirety, joint tenancy or tenancy in common. The powers conferred on JERRY F. KIRK extend to all decisions concerning my health, safety, medical care and welfare. This power is intended to bind all doctors, medical staff, and facility employees who are to follow the instructions of JERRY F. KIRK. All doctors and facilities shall release all and any of my records to JERRY F. KIRK.

15. It is my intention that this Durable Family Power of Attorney be exercised by JERRY F. KIRK until he dies and then that this Durable Family Power of Attorney be exercised by my other son, MICHAEL P. KIRK until his death. Should both my sons predecease me, this Durable Family Power of Attorney should then be exercised by my grandson, JOHN C. KIRK until his death.
16. It is my intention that this Power of Attorney be interpreted broadly so as to allow my attorney-in-fact a high degree of discretion in managing my affairs. Even though I may disagree with some of my attorney-in-fact's decisions this Durable Family Power of Attorney shall be irrevocable and I shall comply with JERRY F. KIRK's decisions.
17. This instrument is executed by me in the State of Florida, but it is my intention that this Durable Family Power of Attorney shall be exercisable and binding in any other state or jurisdiction where I may have any property or interests in property. I may be relocated to a different state by JERRY F. KIRK. This instrument should be exercisable in any state in which I may be relocated, including but not limited the United States territories or the United States of America, the Republic thereof.

page 5

Kirk Power of Attorney

18. I hereby confirm all acts of my attorney-in-fact pursuant to this power.

Third Party Reliance.

Any third party may rely upon the authority granted in my Durable Power of Attorney until the third party has received notice as provided herein.

A third party that has not received written notice hereunder may, but need not, require that my attorney-in-fact execute an affidavit stating that there has been no revocation, partial or complete termination, or suspension of the Durable Power of Attorney at the time the power of attorney is exercised. A written affidavit executed by my attorney in fact under this paragraph may, but need not, be in the following form:

FLORIDA THE STATE, UNITED STATES OF AMERICA, THE REPUBLIC THEREOF
COUNTY OF MIAMI-DADE OR OF THE LOCATION OF CHOICE BY MY ATTORNEY-
IN-FACT.

BEFORE ME, the undersigned authority, personally appeared (attorney-in-fact) ("Affiant") who swore or affirmed that:

sample:
Need not be signed on this form ESP

1. Affiant is the attorney-in-fact named in the Durable Family Power of Attorney executed by FRANCES P. KIRK (Principal) on _____, 2006.
2. To the best of Affiant's knowledge after diligent search and inquiry:
 - a. the Principal is not deceased and has not been adjudicated incapacitated.
 - b. a petition to determine the incapacity of or to appoint a guardian for the Principal is not pending.

Jerry Francis Kirk, Sui Juris
Calf Creek Township
Section 19, Township 14 N., Range 17 W.
Search County, Arkansas
Non-Resident, Non-Domestic Delivery
c/o HC 75, Box 267
Witts Springs, Arkansas Republic
United States of America



Affiant, JERRY F. KIRK

page 6

Kirk Power of Attorney

SWORN to and subscribed before this 9th day of February, 2006, by (Affiant) who is personally known to me or who provided _____ as identification, and who did not take an oath but rather a vow before THE FATHER in Heaven.

Notary Public, Florida the State

Printed Name: _____

My commission expires: _____

Commission No: _____

This parties who act in reliance upon the authority granted to my attorney-in-fact hereunder and in accordance with the instruction of the attorney-in-fact will be held harmless by me from any loss suffered or liability incurred as a result of actions taken prior to receipt of written notice of revocation, suspension, notice of a petition to determine incapacity, partial or complete termination, or my death. A person who acts in good faith upon any representation, direction, decision, or act of my attorney-in-fact is not liable to me or to my estate, beneficiaries, or joint owners of those acts.

My attorney-in-fact is not liable and cannot be sued for any acts or decisions made by him in good faith and under the terms of the Durable Family Power of Attorney.

Damages and Costs

In any judicial action regarding this Durable Family Power of Attorney, including, but not limited to, the unreasonable refusal of a third party to allow an attorney-in-fact to act pursuant to the power, and challenges to the proper exercise of authority by the attorney-in-fact, per statute, the prevailing party is entitled to damages and costs, including reasonable attorney's fees.

Validity

This Durable Family Power of Attorney shall only be delegable as outlined above and shall be valid until such time as I shall die. All acts of my attorney-in-fact are valid and effective, and are hereby ratified and confirmed.

Copies

An executed duplicate of this document, or photostatic copy thereof, delivered by me or my attorney-in-fact to any third party, will be conclusive proof that this power has not been revoked continues in effect.

INITIALS JK
Page 5 of 7 Pages

page 7

Kirk Power of Attorney

I hereby acknowledge that I have been advised as to the provisions of Florida Statutes Section 709.08 and acknowledge that this Durable Family Power of Attorney has been executed pursuant therewith and will full knowledge thereof. My son JERRY F. KIRK and I further agree that we recognize and follow higher obligations imposed by the Father in Heaven in addition to the laws of Florida. Specifically my son acknowledges that he is bound by the Father in Heaven's Commandments, "Honor they Father and thy Mother." My son, by his notarized signature above acknowledges that he will be bound by the highest ethical and moral standards in carrying out this Durable Family Power of Attorney.

IN WITNESS WHEREOF, I have executed this Durable Family Power of Attorney, and I have directed that photographic copies of this power shall have the same force and effect as an original.

Attested and subscribed in the presence of the principal and subsequent to the principal subscribing same:

M. Silvia Guzman
Witness

Frances S. Kirk (SEAL)
FRANCES S. KIRK

Printed: U. SILVIA GUZMAN

Jose M. Tabares
Witness

Printed: JOSE M. TABARES

page 8

Kirk Power of Attorney

FLORIDA THE STATE, UNITED STATES OF AMERICA, THE REPUBLIC THEREOF
COUNTY OF MIAMI-DADE.

BEFORE ME, the undersigned officer, personally appeared FRANCES P. KIRK, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledge that the executed the same for the purposes therein contained, and who provided as identification a photo id: Driver's License from Florida.

IN WITNESS WHEREOF, on this 9th day of February, 2006.
I hereunto set my hand and official seal at the aforementioned County and State.

Elizabeth S. Baker
Notary Public, Florida the State

Printed Name: Elizabeth S. Baker

My commission expires:  Elizabeth S. Baker
My Commission DD253590
Expires December 12, 2007

Commission No: _____

Prepared by:
Elizabeth S. Baker, Esq.
Fla. Bar No. 260002
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3250 Mary Street
Coconut Grove, FL 33133