



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-2

ROBERT E. SHANNON
City Attorney

HEATHERA. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

August 2, 2011

PRINCIPAL DEPUTIES

Dominic Holzhous
Anne C. Lattime
Monte H. Machit
J. Charles Parkin

DEPUTIES

C. Geoffrey Alfred
Gary J. Anderson
Richard F. Anthony
Amy R. Burton
Kendra L. Carney
Christina L. Checel
Charles M. Gale
Barbara J. McTigue
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt minute order to grant an application from Elizabeth Gay Rowlands for a widow's pension.

DISCUSSION

We are in receipt of an application from Elizabeth Gay Rowlands for a widow's pension. Herbert E. Rowlands, who died on or about the 19th day of June, 2011, was a retired Fire Captain in the Long Beach Fire Department, having retired from active duty on May 15, 1973. Mrs. Rowlands has filed an application for a widow's pension under the provisions of Subsection (4) of Section 187 of the Charter of the City of Long Beach prior to its repeal.

We are of the opinion that Mrs. Rowlands is entitled to a widow's pension. We are transmitting herewith the declaration of Elizabeth Gay Rowlands and a form of minute order to be adopted by your honorable body granting Elizabeth Gay Rowlands a widow's pension effective June 20, 2011.

SUGGESTED ACTION:

Approve recommendation.

ROBERT E. SHANNON, City Attorney

By

Christina L. Checel
Senior Deputy City Attorney

CLC:kjm
Attachments
A11-01658

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MINUTE ORDER
FOR THE ADOPTION OF A WIDOW'S PENSION
BY
ELIZABETH GAY ROWLANDS

Councilmember _____ moved, second by
Councilmember _____, that the communication of the City
Attorney and the accompanying declaration be received and filed, and it appearing from
the application for a widow's pension that, Herbert E. Rowlands, who died on or about
June 19, 2011, was a retired Fire Captain in the Long Beach Fire Department, having
retired from active duty on May 15, 1973; that Elizabeth Gay Rowlands is his widow and
is entitled to be granted and to be paid during her lifetime, or until she remarries, an annual
pension equal to fifty percent (50%) of the salary attached to the rank of Fire Captain, to
become effective June 20, 2011, and that such payments shall be made from such funds as
the City may be required to provide for that purpose.

ADOPTED: _____

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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DECLARATION

ELIZABETH GAY ROWLANDS states:

I am the widow of HERBERT E. ROWLANDS, who died on or about the 17TH day of JUNE, 2011; that the decedent at the time of his death was a retired Fire Captain with the Long Beach Fire Department; that the declarant and Elizabeth Gay Rowlands were married on AUGUST 2, 1941, in the City of LONG BEACH, State of CALIFORNIA, and that said marriage continued until the death of Mr. Rowlands.

That the declarant makes this declaration for the purpose of obtaining a pension under the provisions of Subsection (4) of Section 187 of the Charter of the City of Long Beach, prior to its repeal.

I declare under penalty of perjury under the laws of the State of California that the foregoing statement is true and correct.

Executed this 12TH day of JULY, 2011.

Trami Gay Adams
Elizabeth Gay Rowlands AS ATTORNEY IN FACT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

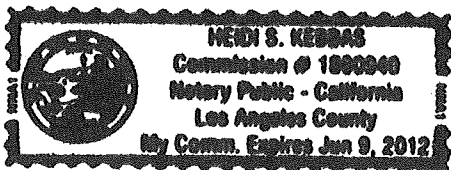
County of LOS ANGELES }

On JULY 12, 2011 before me, Heidi S. Kebbas
Date Here Insert Name and Title of the Officer

personally appeared LOLAINE GAY SCOTT
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Declaration

Document Date: JULY 12, 2011

Number of Pages: 2 pages [inc. All-Purpose Acknowledgment]

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: LoLAINE GAY SCOTT

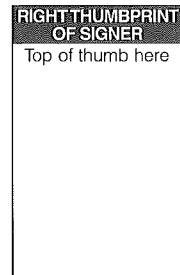
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

RECORDING REQUESTED BY <u>H.E. Rowlands</u> WHEN RECORDED MAIL TO	92-027051	Rec Fee 5.00 Check 5.00
NAME <u>H.E. Rowlands</u> STREET <u>1874 Andrew Pk</u> CITY <u>Paradise, 95907</u> STATE ZIP	Recorded Official Records County of Butte Candace J. Grubbs Recorder 10:42am 18-Jun-92	PUBL XX 1

POWER OF ATTORNEY — GENERAL [Includes optional DURABLE POWER OF ATTORNEY]

KNOW ALL PERSONS BY THESE PRESENTS: That I, Elizabeth Gay Rowlands

the undersigned (jointly or severally, if more than one) hereby make, constitute and appoint Herbert Elved Rowlands & Loraine G. Scott

my true and lawful Attorney for me and in my name, place and stead and for my use and benefit:

(a) To ask, demand, sue for, recover, collect and receive each and every sum of money, debt, account, legacy, bequest, interest, dividend, annuity and demand (which now is or hereafter shall become due, owing or payable) belonging to or claimed by me, and to use and take any lawful means for the recovery thereof by legal process or otherwise, and to execute and deliver a satisfaction or release therefor, together with the right and power to compromise or compound any claim or demand;

(b) To exercise any or all of the following powers as to real property, any interest therein and/or any building thereon: To contract for, purchase, receive and take possession thereof and of evidence of title thereto; to lease the same for any term or purpose, including leases for business, residence, and oil and/or mineral development; to sell, exchange, grant or convey the same with or without warranty; and to mortgage, transfer in trust, or otherwise encumber or hypothecate the same to secure payment of a negotiable or non-negotiable note or performance of any obligation or agreement;

(c) To exercise any or all of the following powers as to all kinds of personal property and goods, wares and merchandise, choses in action and other property in possession or in action: To contract for, buy, sell, exchange, transfer and in any legal manner deal in and with the same; and to mortgage, transfer in trust, or otherwise encumber or hypothecate the same to secure payment of a negotiable or non-negotiable note or performance of any obligation or agreement;

(d) To borrow money and to execute and deliver negotiable or non-negotiable notes therefor with or without security; and to loan money and receive negotiable or non-negotiable notes therefor with such security as he/she shall deem proper;

(e) To create, amend, supplement and terminate any trust and to instruct and advise the trustee of any trust wherein I am or may be trustee or beneficiary; to represent and vote stock, exercise stock rights, accept and deal with any dividend, distribution or bonus, join in any corporate financing, reorganization, merger, liquidation, consolidation or other action and the extension, compromise, conversion, adjustment, enforcement or foreclosure, singly or in conjunction with others of any corporate stock, bond, note, debenture or other security; to compound, compromise, adjust, settle and satisfy any obligation, secured or unsecured, owing by or to me and to give or accept any property and/or money whether or not equal to or less in value than the amount owing in payment, settlement or satisfaction thereof;

(f) To transact business of any kind or class and as my act and deed to sign, execute, acknowledge and deliver any deed, lease, assignment of lease, covenant, indenture, indemnity, agreement, mortgage, deed of trust, assignment of mortgage or of the beneficial interest under deed of trust, extension or renewal of any obligation, subordination or waiver of priority, hypothecation, bottomry, charter-party, bill of lading, bill of sale, bill, bond, note, whether negotiable or non-negotiable, receipt, evidence of debt, full or partial release or satisfaction of mortgage, judgment and other debt, request for partial or full reconveyance of deed of trust and such other instruments in writing or any kind or class as may be necessary or proper in the premises.

(g) [Strike if not applicable.] This Power of Attorney shall not be affected by subsequent incapacity of the principal [and shall remain effective for a period of _____ years after the disability or incapacity occurs].

(h) [Strike if not applicable.] This Power of Attorney shall become effective upon the incapacity of the principal [and shall remain effective for a period of _____ years after the disability or incapacity occurs].

(i) If (g) and/or (h) are not stricken, the following warning applies - **WARNING TO PERSON EXECUTING THIS DOCUMENT:**

This is an important legal document. It creates a durable power of attorney. Before executing this document, you should know these important facts:

1. This document may provide the person you designate as your attorney in fact with broad powers to manage, dispose, sell, and convey your real and personal property and to borrow money using your property as security for the loan.
2. These powers will exist for an indefinite period of time unless you limit their duration in this document. These powers will continue to exist notwithstanding your subsequent disability or incapacity.
3. You have the right to revoke or terminate this power of attorney.
4. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.

GIVING AND GRANTING unto my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or appropriate to be done in and about the premises as fully to all intents and purposes as I might or could do if personally present, hereby ratifying all that my said Attorney shall lawfully do or cause to be done by virtue of these presents. The powers and authority hereby conferred upon my said Attorney shall be applicable to all real and personal property or interests therein now owned or hereafter acquired by me and wherever situated.

My said Attorney is empowered hereby to determine in his/her sole discretion the time when, purpose for and manner in which any power herein conferred upon him shall be exercised, and the conditions, provisions and covenants of any instrument or document which may be executed by him/her pursuant hereto; and in the acquisition or disposition of real or personal property, my said Attorney shall have exclusive power to fix the terms thereof for cash, credit and/or property, and if on credit with or without security.

When the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

WITNESS my hand this 17th day of JUNE, 1992

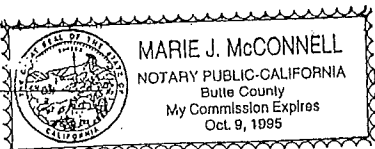
Elizabeth Gay Rowlands

STATE OF CALIFORNIA } ss.
 COUNTY OF Butte

On this 17th day of June, in the year 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Elizabeth Gay Rowlands

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name subscribed to the within instrument, and acknowledged to me that s/he executed it.

WITNESS my hand and official seal. [Signature]
 Notary Public in and for said State.



POWER OF ATTORNEY-GENERAL (includes optional DURABLE POWER OF ATTORNEY) WOLCOTT'S FORM 1400-Rev. 12-86 ©1986 WOLCOTT'S, INC. (price class 3)

This standard form covers most usual problems in the field indicated. Before you sign, read it, fill in all blanks, and make changes proper to your transaction. Consult a lawyer if you doubt the form's fitness for your purpose.

END OF DOCUMENT