

GENERAL POWER OF ATTORNEY

MILITARY

PREAMBLE: This is a **MILITARY POWER OF ATTORNEY** prepared pursuant to Title 10, United States Code, § 1044a, and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney by the laws of a state, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effect as a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

KNOW ALL PERSONS BY THESE PRESENTS:

That I, JOHN MICHAEL HULL, I Social Security Number 585-47-1852, I currently residing in the state of California, and now in the military service of the United States of America as a member of the United States appoint lawful stationed at Assault Craft Unit FIVE, MCB, Camp Pendleton, CA by this document do make and appointment KATHIE K. HULL, whose address is 1213 MAIN STREET KLAMATH FALL, OR 97601 as my true and lawful attorney;

GIVING AND GRANTING unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, to wit:

1. **REAL PROPERTY TRANSACTIONS:** (a) to buy, contract to buy, receive, lease or rent for any term, accept, or otherwise acquire real estate or any options thereon-or-interests therein, including any and all rights for the development of oil, gas or other mineral deposits, wherever situated, on such terms, conditions and considerations as my attorney-in-fact shall deem proper, in my name, or jointly in my name and that of any other party or parties including my attorney-in-fact;

(b) to sell, contract to sell, mortgage, encumber, exchange, lease or rent for any term, grant options to purchase or otherwise dispose of any or all real estate in which I now have or may here after acquire any right, title or interest, including any and all right for the development of oil, gas or other mineral deposits, whether such real estate be homestead or non-homestead, or whether such real estate be owned as community property, in joint tenancy, tenancy by the entireties, tenancy in common or in any other manner or capacity, and in my name, or jointly with any other party or parties, including my attorney-in-fact, on such terms, conditions and considerations as my attorney-in-fact shall deem proper to sign, seal, execute, acknowledge and deliver any and all instruments in writing of any kind and nature, as may be necessary or convenient, containing such terms my said attorney-in fact shall deem advisable, and further to waive, relinquish and convey any homestead estates, rights under homestead exemption laws, dower or curtesy estates, and all other rights or interest to which I may at any time be entitled;

(c) to manage, utilize, conserve, demolish, repair, rebuild, alter or improve any real estate or structure thereon, owned or claimed to be owned by me in whole or in part, and to protect the same by action, proceeding or, otherwise, including, but not limited to the recovery of possession thereof and the removal of tenants or other persons, animals or objects therefrom.

2. **PERSONAL PROPERTY TRANSACTIONS:** (a) to buy, contract to buy, accept, sell, exchange, mortgage,

pledge, lease or rent, contract for the repair of and in any and every manner deal in and with any and all personal property of every kind whatever, tangible or intangible, which I may own or in which I now have or hereafter may acquire, any right, title or interest, on such terms, conditions and considerations as my attorney-in-fact shall deem proper;

(b) to execute and deliver to the proper persons and authority any and all documents, instruments and papers necessary to effect the proper registration and licensing of any automobiles in which I now or may hereafter have an interest; (c) to enter into contracts for the storage of tangible personal property of every kind;

(c) to take possession and order the removal and shipment of any of my property from or to any station, post, warehouse, depot, dock, or other place of storage, safekeeping, or use, governmental or private, and to execute and deliver any release, voucher, receipt, shipping ticket, certificate, or other instrument necessary or convenient for such purposes.

3. BUSINESS TRANSACTIONS: To demand, sue for, recover, receive, compromise, settle, adjust and pay all accounts, legacies, bequests, interest, dividends, annuities, demands, debts, taxes, and any and all other obligations, which may now or hereafter be due, owing or payable by or to me, and to carry on and transact every kind of business on my behalf, in my name or jointly in my name and that of any other person or persons, including my attorney-in-fact, and including, but not limited to, transactions concerning any and all investments and shares of stock, bonds, securities, certificates of deposit, on such terms, considerations and conditions as my attorney-in-fact may deem proper and to invest and reinvest and exchange investments, and to execute and deliver good and sufficient instruments for the accomplishment thereof, and to act as my attorney or proxy with respect to any stocks, shares, bonds or other investments, rights or interest as I may now or hereafter hold.

4. BANKING TRANSACTIONS: (a) to deposit or withdraw for any purpose, in or from any bank, building and loan association, trust company or other financial institution, including the United States Postal Service, any funds, checks, or other credits which I now or hereafter may have on deposit or be entitled to, and to endorse, cash and receive the proceeds of any and all checks, vouchers, or other orders for money, to open or close accounts, and to receive statements, vouchers, notices or other documents from any bank or other financial institution concerning any and all accounts or banking transactions in my name or in which I may have an interest;

(b) to have access for all purposes to any or all safety deposit boxes or vaults rented in my name or in the names of any other person or persons and myself, with full power to use same for safekeeping any property or papers and to remove therefrom at any time, or from time to time, all or any part of the contents of any such box or vault;

(c) to borrow money and to execute in my name any instrument evidencing indebtedness incurred on my behalf and to extend and renew the same, as well as any indebtedness heretofore incurred by me, for the payment of which I may in any way be liable.

5. TAXES: To make, execute and file income and all other tax returns and declarations of estimated tax

required to be made by me by any law or regulation of any government or governmental department, board or court, to represent and act for me in any tax matters in dispute or litigation, in any governmental department, board or court, to receive, endorse, and collect checks in settlements of any refund of taxes, to execute consents agreeing to a later determination of taxes than is provided by statutes of limitation, to execute closing agreements relative to tax liabilities, to file claims for abatement, refund, or credit taxes, to make any adjustments or settlements and to sign any and all receipts, waivers, settlements, or agreements, pertaining to all income or other taxes assessed against me or my property by statute.

6. GOVERNMENT DOCUMENTS, VOUCHERS AND CHECKS: (a) to execute, sign and deliver any and all government reports, applications, requests, vouchers and demands in my behalf, including, but not limited to those for any and all allowances and reimbursements properly payable to me by the United States, such as for the transportation of family members or for the shipment of household effects or other property as authorized by law or regulations;

(b) to receive, endorse and collect the proceeds of checks payable to my order drawn on the Treasurer of the United States for whatever account, and to execute in my name and on my behalf, all bonds, indemnities, applications or other documents, which may be required by law or regulations to secure the issuance of substitutes for such checks, and to give full discharge for the same.

7. INSURANCE TRANSACTIONS: (a) to pay the premiums on, modify rescind, release, terminate, or execute any rights, privileges, or options on any contract of life-accident, health, disability, liability, property or other insurance presently owned by me or by any person on my behalf, or hereafter acquired;

(b) to procure new, different, or additional contracts of insurance on my life or with respect to protecting me or my property from ill health, disability, accident, liability, or loss;

(c) to apply for, and receive, any loan on the security of any contract of insurance, to surrender and receive the cash surrender value, to exercise any election or conversion rights, and to demand, receive or obtain any money, dividend or other thing of value to which I am or to which I may become entitled as the proceeds or other return or profit arising out of any contract of insurance or of any one or more of the insurance transactions herein enumerated.

8. PERSONAL TRANSACTIONS: (a) to do all acts necessary for maintaining the customary living standard of my dependents including, by way of illustration but not limitation, provision of such living quarters and their maintenance and operation, food, clothing, medical, surgical and dental care, educational facilities, and other incidentals to which my dependents are accustomed;

(b) to continue the discharge of any service or duties assumed by me to my family, relatives or friends, and to continue payments incidental to my membership in, or affiliation with, any church, club, society, or other organization.

9. REPRESENTATION AND EMPLOYMENT OF ASSISTANCE: (a) on my behalf and in my name or the name of my attorney, to institute, prosecute, appear in, defend, compromise, arbitrate, settle, or dispose of any legal, equitable or administrative hearings, actions, suits, attachments, claims or other proceedings, to which I am or may become a party or in which I have an interest, and to engage and dismiss counsel in connection therewith, authorizing my attorney-in-fact to assert or to waive any or all rights, privileges and defenses available to me under the Soldiers' and Sailors' Civil Relief Act or other legislation designed for the protection of personnel in the armed forces or their family members;

(b) to hire, engage, employ and appoint agents, employees and counsel upon such terms and conditions and at such compensation as my said attorney-in-fact shall deem proper in the exercise of the powers herein

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granted; to dismiss and remove at pleasure any such agents, employees and counsel as well as any agents, employees and counsel heretofore or hereafter employed by me or in my behalf.

10. MISCELLANEOUS: (a) to sign, seal, acknowledge and deliver any instrument necessary to accomplish any of the powers herein granted;

(b) to modify, reform, renegotiate or rescind any contract or obligation heretofore or hereafter made by me or in my behalf.

PROVIDED, HOWEVER, that all business transacted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by my said attorney for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "attorney in fact."

I FURTHER DECLARE that any act or thing lawfully done hereunder by my said attorney shall be binding on myself and my heirs, legal and personal representatives and assigns, whether the same shall have been done either before or after my death, or other revocation of this instrument, unless and until reliable intelligence or notice thereof shall have been received by my said attorney; and whether or not I, the grantor of this instrument, shall have been reported or listed, either officially or otherwise, as "missing in action" as that phrase is used in military parlance, or as "captured," it being my intent that such status designation shall not bar my attorney from fully and completely exercising and continuing to exercise any and all powers and rights herein granted and that such report of "missing in action" or "captured" shall neither constitute nor be interpreted as constituting notice of my death nor operate to revoke this instrument.

FURTHER, this power of attorney shall remain in full force and effect until 13 May 1999. Unless sooner revoked by me, provided, however, that such prior revocation shall be of no effect in respect to parties acting or things done in reliance hereon prior to receipt by them of such notice of revocation as may be prescribed by law, and provided further, that in the event that I should be reported or listed "missing" or "missing in action", as those phrases are used in military parlance, prior to the expiration or revocation of this power of attorney, it shall not terminate but shall be extended as long as I remain in that status. It is my intention that such status designation shall not bar my attorney from fully and completely exercising and continuing to exercise any and all powers and rights herein granted, and that such report of "missing" or "missing in action" shall neither constitute nor be interpreted as constituting notice of my death, nor operate to revoke this instrument.

FURTHER, this power of attorney is a durable power of attorney, and it shall not be affected by my becoming disabled, incompetent or incapacitated or the lapse of time. It is my intent that the authority conferred herein shall be exercisable notwithstanding my physical disability or mental incompetence, and notwithstanding any expiration date set forth herein.

IN WITNESS WHEREOF I have here unto set my hand and seal on this day, 13 MAY 96.



GRANTOR

ACKNOWLEDGEMENT

SERVING WITH THE ARMED FORCES OF THE UNITED STATES AT ASSAULT CRAFT UNIT FIVE,

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**SERVING WITH THE ARMED FORCES OF THE UNITED STATES AT ASSAULT CRAFT UNIT FIVE,
MCB, CAMP PENDLETON, CALIFORNIA**

Before me S. S. AREND, CWO2, USN personally appeared JOHN MICHAEL HULL, who, having produced a Uniformed Services Identification Card, is known to me to be the identical person who is described herein, and who signed and executed the foregoing instrument on this day, 13 May 1998, as a true, free, and voluntary act and deed, for uses, purposes, and considerations therein set forth. And I do further certify that I am a non-commissioned officer of the Armed Forces of the United States serving in the rank indicated below, that by Federal law I am authorized to exercise the powers of a notary without requirement of a seal, and that this document is executed by me in accordance with those powers and in that capacity.

Shawn S. Arend
NOTARY PUBLIC IN AND FOR THE
STATE OF CALIFORNIA

**AUTHORIZED TO ACT AS A NOTARY
PUBLIC UNDER THE PROVISIONS OF SECTION 1044a
OF TITLE 10 OF THE UNITED STATES CODE AND
SECTION 1183.5 OF THE CALIFORNIA CIVIL CODE
NO SEAL REQUIRED**

Shawn S. Arend
CWO2, U. S. Navy
Legal Officer
Assault Craft Unit FIVE
Commission: INDEFINITE
SSN: 267-34-3517

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Kathie Hull the 16th day
of June A.D., 19 98 at 10:52 o'clock A. M. and duly recorded in Vol. M98
of Power of Attorney on Page 20528

FEE \$25.00
6.25 c.c. Return: Kathie Hull
1213 Main St.
KFO-97601

By Kathie Hull
Bernetha G. Lersch, County Clerk

234182
10-11-98
242
Oregon Health Division
Certificate of Death

1. DECEASED'S NAME: **Francis Garbin**
2. SOCIAL SECURITY NUMBER: **517-32-139**
3. DATE OF BIRTH: **May 18, 1998**
4. DATE OF DEATH: **June 4, 1998**
5. PLACE OF BIRTH: **Bellevue, Montana**
6. DATE OF DEATH (Month, Day, Year): **June 4, 1998**
7. TIME OF DEATH: **2:00 A.M.**
8. PLACE OF DEATH: **Klamath Regional Rehabilitation Center**
9. COUNTY OF DEATH: **Klamath**
10. DECEASED'S USUAL OCCUPATION: **Homeemaker**
11. IND OF BUSINESS/INDUSTRY: **Own Home**
12. RESIDENCE - STATE: **Oregon**
13. RESIDENCE - COUNTY: **Klamath**
14. RESIDENCE - CITY/TOWN: **Marion**
15. RESIDENCE - ZIP CODE: **97633**
16. DECEASED'S MARRIAGE STATUS: **Married**
17. SPOUSE (If Married, Widowed): **Clinton Fowler**
18. DECEASED'S EDUCATION: **12**
19. DECEASED'S FORMER NAME: **Marion B. Garbin**
20. METHOD OF DEATH: **Natural**
21. CAUSE OF DEATH: **Undifferentiated carcinoma in the left axilla**
22. DATE OF DEATH: **May 18, 1998**
23. NAME, TITLE, ADDRESS AND ZIP OF PHYSICIAN: **Libby Lake, M.D. 2800 Daggett Avenue, Klamath Falls, Oregon 97601**
24. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFYING PHYSICIAN: **None**
25. DATE OF DEATH: **May 18, 1998**
26. TIME OF DEATH: **2:00 A.M.**
27. PLACE OF DEATH: **Klamath Regional Rehabilitation Center**
28. COUNTY OF DEATH: **Klamath**
29. MANNER OF DEATH: **Natural**
30. DATE OF INJURY: **None**
31. TIME OF INJURY: **None**
32. PLACE OF INJURY: **None**
33. LOCATION (City and State) of Place of Injury: **None**
34. DATE OF DEATH: **May 18, 1998**
35. TIME OF DEATH: **2:00 A.M.**
36. PLACE OF DEATH: **Klamath Regional Rehabilitation Center**
37. COUNTY OF DEATH: **Klamath**
38. MANNER OF DEATH: **Natural**
39. DATE OF INJURY: **None**
40. TIME OF INJURY: **None**
41. PLACE OF INJURY: **None**
42. LOCATION (City and State) of Place of Injury: **None**

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE OR THE VITAL RECORD FACTS ON FILE IN THE VITAL RECORDS UNIT OF THE OREGON HEALTH DIVISION.

ORIGINAL VITAL STATISTICS COPY

DATE ISSUED: **MAY 18 1998**

STATE OF OREGON
JENNIFER J. JOHNSON
STATE REGISTRAR

STATE OF OREGON: COUNTY OF KLAMATH: SS

Filed for record at request of **Clinton Fowler** the **16th** day of **June** A.D. 19 **98** at **11:01** o'clock **A.M.** and duly recorded in Vol. **M98** on Page **20533**
FEE \$10.00
By **Bernetha G. Leisch**, County Clerk