

## GENERAL DURABLE POWER OF ATTORNEY

I, Stephen Ted Tibbitts (the "Principal"), designate Diane Gale Tibbitts as my Attorney-in-Fact ("Agent"). The powers of my Agent include, but are not limited to, the following powers all of which shall be exercised only in a fiduciary capacity for my benefit:

To act for me in any manner affecting my property as if I were personally present. This shall include any real or personal property, any tangible or intangible property and any property I now own or later acquire. Anything done by my Agent by virtue of this grant of power shall bind me and my successors.

To execute, deliver, and acknowledge any written instruments for me. This includes agreements, deeds, notes, and other evidences of indebtedness, mortgages, trust deeds, pledges, security agreements, releases, satisfactions, receipts, and assignments.

To open, deposit into, withdraw from, and close any type of account at any bank or similar financial institution. My Agent may execute and deliver checks, drafts, and orders upon those accounts and endorse all such instruments payable to me. My Agent may receive either cash for the same or deposit the same in any account.

To have access to any safe deposit box rented in my name, to open new safe deposit boxes, to remove any of the contents of any safe deposit box, to add to the contents of any safe deposit box, and to close out any safe deposit box.

To invest and reinvest my property for me as my Agent deems appropriate. This includes investment in the stock of any corporation, bonds, notes, and other securities. My Agent may exercise all of the rights of ownership of those securities. This includes the rights to transfer or exchange those securities, to receive interest and dividends, to vote at any shareholder's meeting, to otherwise act as my proxy or representative in respect of any such security with full power to substitute one or more persons as my proxy or proxies, to exercise stock right privileges, and to open brokerage accounts (on cash or on margin).

To acquire and transfer any property of mine, including my residence and the right to purchase, receive options to purchase, sell, grant options to sell, exchange, grant or receive mortgages, trust deeds, and other security interests, and to lease and sublease.

To demand payment, compromise, take all lawful means to collect and recover, accept payment and grant discharges for all monies or other property belonging to me. This includes the right to file any claim and to file any legal or equitable proceeding to recover secured and unsecured notes, interest, dividends, government benefits, insurance proceeds, employee benefit

plan proceeds, and bequests and inheritances. This shall include the power to receive, endorse, and collect the proceeds of any check payable to me and drawn upon the Treasury of the United States, the State of Oregon, or any other person.

To represent me in all tax matters. To prepare, sign, and file federal, state, or local income, gift, or other tax returns of all kinds, FICA returns, payroll tax returns, claims for refunds, requests for extensions of time, ruling requests, petitions to the Tax Court or other courts regarding tax matters, and any and all other tax-related documents, including, without limitation, receipts, offers, waivers, consents (including, but not limited to, consents and agreements under Internal Revenue Code Section 2032A, or any successor section thereto), closing agreements, and any power of attorney form required by the Internal Revenue Service, the Oregon Department of Revenue, or other taxing authority with respect to any tax period; to pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service, the Oregon Department of Revenue, or other taxing authorities; to exercise any elections I may have under federal, state, or local tax law; and generally to represent me in all tax matters and proceedings of all kinds and for all periods before all offices and officers of the Internal Revenue Service, the Oregon Department of Revenue, and any other taxing authority.

To continue or participate in the continued operation of any business in which I have an interest including, but not limited to, any partnership (limited or general), corporation, or sole proprietorship. My Agent may pay salaries, enter into buy-sell or similar agreements, and discontinue, sell, or liquidate that business interest at any time and on such terms as my Agent deems advisable.

To take all action necessary to manage any property interest of mine. This includes the powers to maintain, repair, improve, alter, lease, collect rentals, insure, and collect insurance proceeds. Further, my Agent may borrow money as my Agent deems advisable for the purpose of managing my property.

To prosecute, defend and settle any legal proceeding to which I am now or later become a party; employ and pay attorneys, investment counsel, accountants, and other persons as my Agent deems advisable; and pay any of my legally enforceable debts.

(Gifts)

To make gifts to my children and their issue, including my Agent, provided that such gifts shall be made only in a manner which (1) qualifies for the annual exclusion from gift tax provided by Internal Revenue Code Section 2503(b) and (2) results in the total of the gifts made to a child and that child's issue, as a group, being equal to the total of the gifts made to each other group consisting of a child and that child's issue. The power to make gifts shall be exercised only in a fiduciary capacity.

## (Will Substitutes)

To name, change, or remove one or more primary or contingent beneficiaries, whether individuals, estates, trusts, or other persons, on any policies of insurance or retirement plans. In naming, changing, and removing beneficiaries of retirement plans my Agent may consider the effect of each beneficiary on the amount of required distributions and on the excise taxes on excess distributions and accumulations.

To select or change options for distributions to me and my beneficiaries with respect to retirement plans. In selecting and changing options for distributions my Agent may consider the effect of an option on the excise taxes on excess distributions and accumulations.

## (Disclaimers)

To disclaim any interest in property if such disclaimer is a qualified disclaimer under Internal Revenue Code Section 2518, and my Agent deems it appropriate after considering my existing and future needs; the tax consequences of such transfers; the estate, inheritance, and other transfer taxes which may become due upon my death; and the needs of my children and their issue.

Any third party may rely upon the representations of my Agent as to all matters relating to any power granted hereby to my Agent. No person who acts in reliance upon the authority granted hereby to my Agent, or upon any representation as to the continued existence of that authority by my Agent, shall incur any liability to me or my successors as a result of permitting my Agent to exercise any power granted hereby.

The authority and power granted hereby to my Agent shall not be affected by my later legal disability or incapacity. Further, the authority and power granted hereby to my Agent shall continue as long as my Agent acts in good faith without actual knowledge of my death.

My Agent shall not be liable to me or my successors for any action taken or not taken by my Agent in good faith in the absence of willful misconduct or gross negligence.

This instrument is to be construed and interpreted as a General and Durable Power of Attorney. This instrument is executed and delivered in the State of Oregon and the laws of the State of Oregon shall govern all questions as to the validity of this power and the construction of its provisions. If any provision of this instrument is invalid for any reason, such invalidity shall not affect any of the other provisions of this power and any invalid provision shall be wholly disregarded. The enumeration of specific powers granted to my Agent herein shall not limit the scope of the general and implied powers granted to my Agent herein.

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I reserve the right to revoke or amend this power of attorney and to substitute agents but such revocation, amendment, or substitution may not be made by any other Agent of mine.

My Agent shall be entitled to reasonable compensation for services performed hereunder.

I intend by granting this power of attorney to give my Agent the broadest possible powers to represent my interests in all aspects of any transactions or dealings involving me or my property. However, I do not intend that the granting of any such power to my Agent cause the inclusion of any of my property in the gross estate of my Agent for federal estate tax purposes. Accordingly, my Agent shall not have any power to use my assets to satisfy any legal obligation of my Agent, to support any person (other than me or any person that I am legally obligated to support), or to exercise any incident of ownership over any life insurance policy insuring the life of my Agent of which I am the owner.

DATED this 30 day of April, 1999.

Stephen Ted Tibbitts  
STEPHEN TED TIBBITTS

STATE OF OREGON )  
 )ss  
County of Klamath )

This instrument was acknowledged before me on April 30, 1999,  
by Stephen Ted Tibbitts.



Diane Loney  
NOTARY PUBLIC - State of Oregon  
My Commission Expires: 3-27-03

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STATE OF OREGON, COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 30th day  
of April A.D. 1999 at 3:53 o'clock P. M., and duly recorded in Vol. M99  
of \_\_\_\_\_ Power of Attorney on Page 16553

FEE \$20.00

Ainda Smith, County Clerk  
by Ainda Smith