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State of Oregon, County of Klai	nath
Recorded 11/12/2002 3:19 P	m.
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Linda Smith, County Clerk	
Fee \$ 4/1.00 # of Dag /2	

MTC 58561

PREAMBLE: This is a MILITARY POWER OF ATTORNEY prepared pursuant to Title 10 United States Code, Section 1044b, 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.

## **GENERAL POWER OF ATTORNEY**

KNOW EVERYONE BY THESE PRESENTS, which are intended to constitute a Nondurable General Power of Attorney, THAT I, Jewel J. Fernaays (formerly known as Jewel J. Howard), having an address at 507 John Street, Starbuck, Minnesota 56381, hereby make, constitute and appoint Johnny R. Pires, having an address at 4000 Round Lake Road, Klamath Falls, Oregon 97601, as my attorney-in-fact TO ACT in my name, place and stead in any way which I could do, if I were personally present, to the extent that I am permitted by law to act through an agent:

- (a) to ask, demand, sue for, recover and receive all manner of goods, chattels, debts, rents, interest, sums of money and demands whatsoever, due or to become due, and to execute, acknowledge and deliver acquittances, receipts, releases, satisfactions or other discharges for the same:
- (b) to make, execute, endorse, accept and deliver in my name or in the name of my attorney-in-fact all checks, notes, drafts, warrants, securities, stock certificates, certificates of deposit, bonds, acknowledgments, and any other agreements, certificates or instruments of any nature, as my attorney-in-fact may deem necessary or appropriate;
- (c) to cause securities or other property to be held or registered in the name of a nominee or nominees or in any other form; to vote any and all shares of stock or other securities and to execute proxies or other instruments with respect to such stock or securities;
- (d) to deposit and withdraw any sums to or from any bank, savings or similar account maintained by me; to open or cause to be opened any safe deposit box in my name and to examine and remove any or all of the contents of such box; and to conduct such other banking transactions as my attorney-in-fact may deem necessary or appropriate;

- (e) to deal with all matters relating to insurance, including the procurement and maintenance thereof; however, notwithstanding the powers given my attorney-infact in this and other provisions of this power of attorney, my attorney-in-fact shall have no incidents of ownership in any life insurance policy in which I own an interest and which insures the life of my attorney-in-fact;
- (f) to enter and take possession of any real or personal property belonging to me or to which I may be entitled, and to receive and take for me and in my name any rents, issues and profits of any such property; and to purchase, invest in, reinvest in, sell, exchange, lease, grant options upon, convey, assign, transfer, encumber or otherwise dispose of any real or personal property of any nature and wherever situate; and to execute, acknowledge and deliver all contracts, deeds, leases, mortgages, transfers to trusts, bills of sale, assignments, extensions, satisfactions, releases, waivers, consents, and any other agreements, writings and instruments of any nature affecting any real or personal property, as my attorney-in-fact may deem necessary or appropriate;
- (g) to commence any actions or proceedings, for the recovery of any real or personal property or for any other purpose; to appear in, answer and defend any actions or proceedings commenced against me; and to prosecute, maintain, appeal, discontinue, compromise, settle and adjust all actions, proceedings, accounts, dues and demands that now or hereafter may exist, as my attorney-infact may deem necessary or appropriate;
- (h) to create, amend or terminate one or more trusts, partnerships, corporations, co-tenancies or any other form of ownership or entity for the purpose of dealing with any property or property interest of any nature that I may have or hereafter acquire, under such terms and with such provisions as my attorney-in-fact may deem necessary or appropriate; and to transfer any or all property in which I have an interest into any trusts, partnerships, corporations, co-tenancies or other entities, whether created by me or my attorney-in-fact or otherwise (and, in this regard, that my attorney-in-fact may be a remainderman, partner, shareholder, co-tenant or beneficiary of any such entity shall not affect the validity of any action hereunder, and shall not, by itself, constitute a breach of fiduciary duty); and to remove property from any such entity; and to give to any such entity, or to any person acting as agent or trustee under any instrument executed by me or on my behalf, such instructions or authorizations as I may have the right to give;
- (i) to take all steps and remedies necessary or appropriate for the conduct and management of my business and personal affairs, and for recovering, obtaining and holding all real or personal property including debts, interest, demands, duties, sums of money or any other things whatsoever, as aforesaid, that are thought to be due, owing, belonging or payable to me in my own right or otherwise;

- (j) to employ such agents, attorneys, accountants, investment counsel, trustees, caretakers and other persons and entities, and to delegate duties hereunder and pay such compensation, as my attorney-in-fact may deem necessary or appropriate; and
- (k) to do, execute, perform and finish for me and in my name all things which my attorney-in-fact shall deem necessary or appropriate, in and about or concerning my property or any part thereof.

In addition, I Jewel J. Fernaays who acquired title under the name Jewel Jeanette Howard, specifically authorize my attorney-in-fact to sell, transfer, convey, or otherwise dispose of the real property at 3441 Summers Lane, Klamath Falls, Oregon 97603, together with all improvements thereon and rights relating thereto, upon such terms and conditions as my attorney-in-fact may deem advisable, and to execute and sign on my behalf any and all agreements, closing documents and other instruments relating thereto, including without limitation contracts of sale, brokerage agreements, deeds, assignments, consents, releases, escrows agreements, affidavits and tax returns, and to take such other actions relating to said real property and the sale thereof as my attorney-in-fact may deem advisable.

This power of attorney, however, shall terminate on November 4, 2003.

To induce any third party to act hereunder, I hereby agree that any third party receiving a duly executed copy or facsimile of this power of attorney may act hereunder, and that revocation or termination hereof shall be ineffective as to such third party unless and until actual notice or knowledge of such revocation or termination shall have been received by such third party. I, for myself and my heirs, executors, legal representatives and assigns, hereby agree to indemnify and hold harmless any such third party from and against any and all claims that may arise against such third party by reason of such third party having relied upon the provisions of this power of attorney.

IN WITNESS WHEREOF, I have executed this power of attorney this 5th day of November, 2002.

Jewel Jernaays

WITNESS:

Heather M. Gillette

having an address at:

631 Minuteman Drive St. Paul, MN 55111

Ann M. Todd

having an address at:

631 Minuteman Drive St. Paul, MN 55111

## WITH THE UNITED STATES ARMED FORCES AT ST. PAUL ANGB, ST. PAUL, MN 55111

The foregoing instrument was acknowledged before me on the 5th day of November, 2002, by Jewel J. Fernaays.

I, the undersigned officer, do hereby certify that I am, on the date of this certificate, a person with the power described in Title 10 U.S.C. 1044a of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, and that by statute no seal is required on this certificate, under authority granted to me by Title 10 U.S.C. 1044a.



Paul J. Mahoney, Staff Judge Advocate

LtCol, ANGUS 133rd Airlift Wing

## AFFIDAVIT THAT POWER OF ATTORNEY IS IN FULL FORCE AND EFFECT

STATE OF OREGON		
	)	SS
<b>COUNTY OF KLAMATH</b>	)	

I, Johnny R. Pires, being duly sworn, depose and say:

THAT Jewel J. Fernaays (formerly known as Jewel J. Howard), having an address at 507 John Street, Starbuck, Minnesota 56381, as principal, did, in a writing dated November 5, 2002, appoint me her true and lawful attorney-in-fact, and that attached hereto is a true copy of said power of attorney.

THAT I have no actual knowledge or actual notice of the revocation or termination of the aforesaid power of attorney by death or otherwise, or knowledge of any facts indicating the same. I further represent, to the best of my knowledge after diligent search and inquiry, that: said principal is now alive; has not, at any time, revoked, terminated, suspended or repudiated the power of attorney; and the power of attorney still is in full force and effect.

THAT I make this affidavit for the purpose of inducing

to accept delivery of the following instrument(s), as executed by me in my capacity of attorneyin-fact of said principal, with full knowledge that this affidavit will be relied upon in accepting the execution and delivery of said instrument(s) and in paying good and valuable consideration therefor:

Dated: Nov 8, 2002

Attorney-in-Fact

OFFICIAL SEAL LISA WEATHERBY NOTARY PUBLIC- OREGON COMMISSION NO. 328777

## EXHIBIT "A" LEGAL DESCRIPTION

A tract of land situated in the NW1/4 NW1/4 SW1/4 NW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin on the intersection of the East boundary of Summers Lane and the centerline of Denver Avenue, said point being South 0 degrees 13 1/2' East a distance of 1,661.9 feet and South 89 degrees 58' East a distance of 30.0 feet (South 0 degrees 13 1/2' East a distance of 1,662.5 feet and North 89 degrees 44 1/2' East a distance of 30.0 feet by recorded legal description) from the Northwest corner of said Section 11; thence North 0 degrees 13 1/2' West along the East boundary of Summers Lane a distance of 131.25 feet to an iron pin; thence South 89 degrees 55 1/2' East (North 89 degrees 47' East by recorded legal description) parallel with the North boundary of the N1/2 SW1/4 NW1/4 of said Section 11 a distance of 190.5 feet, more or less, to the centerline of K.I.D. Drain Ditch 1-C-9-A; thence South 0 degrees 13 1/2' East (South 0 degrees 07; East by recorded legal description) along the centerline of said Drain Ditch and parallel with the centerline of Summers Lane a distance of 131.15 feet to the centerline of Denver Avenue; thence North 89 degrees 58' West (South 89 degrees 44 1/2' West by recorded legal description) a distance of 190.5 feet, more or less, to the point of beginning, less K.I.D. Drain Ditch right of way along the East boundary of the above described tract of land.

EXCEPTING THEREFROM a strip of land 30 feet in width along the South line of said premises to be used for road purposes.