## DURABLE POWER OF ATTORNEY

ELEANOR AGNES HARVEY, the undersigned individual, domiciled and residing in the County of Klamath, State of Oregon, designates the following named person as Attorney in fact to act for the undersigned as the Principal who may hereafter become disabled or incompetent.

1. Designation. ROSEMARY D. MARTIN, of Rigby, Idaho, is designated as Attorney in Fact for the Principal. If ROSEMARY D. MARTIN is unwilling or unable to act as Attorney in Fact for the Principal, then LEILA BAKER, of Klamath Falls, Oregon, is designated as alternate Attorney in Fact. If LEILA BAKER is unwilling or unable to act as alternate Attorney in Fact, then ELIZABTH HERELD, of Port Orchard, Washington is designated as alternate Attorney in Fact.

## 2. Powers.

- (a) General Powers. The Attorney in Fact, as fiduciary, shall have all powers of an absolute owner over the assets and liabilities of the Principal, whether located within or without the State of Oregon. Without limiting the powers herein, the Attorney in Fact shall have full power, right and authority to sell, lease, rent, exchange, mortgage and otherwise deal in and with any and all property, real or personal, belonging to the Principal the same as if he or she were the absolute owner thereof. In addition, the Attorney in Fact shall have specific powers including, but not limited to the following:
  - (i) Real Property. The Attorney in Fact shall have authority to purchase, take possession of, lease, sell, convey, exchange, release and encumber real property or any interest in real property.
  - (ii) Personal Property. The Attorney in Fact shall have authority to purchase, receive, take possession of, lease, sell, assign, endorse, exchange, release, mortgage and pledge personal property or any interest in personal property.
  - (iii) Claims Against Principal. The Attorney in Fact shall have authority to pay, settle, compromise or otherwise discharge any and all claims of liability or indebtedness against the Principal and, in so doing, use any of the assets of the Attorney in Fact and obtain reimbursement out of the Principal's funds or other assets.
  - (iv) Financial Accounts. The Attorney in Fact shall have the authority to deal with accounts maintained by or on behalf of the Principal with institutions (including, without limitation, banks, savings and loan associations, credit unions and securities dealers). This shall include the authority and power to deposit, withdraw, or transfer any money or credits, maintain and close existing accounts, to open, maintain and close other accounts and to sign, endorse, execute and renew any checks, withdrawals, deposits, promissory notes and bends and to transact and perform any and all other banking or financial business with respect to all such accounts.
  - (v) Transfers to Trust. The Attorney in Fact shall have the authority to make transfers of the Principal's property, both real and personal, to any trust, whether or not created by the Principal, and whether or not the Principal is the primary beneficiary during the Principal's lifetime.
  - (vi) <u>Legal Proceedings</u>. The Attorney in Fact shall have authority to participate in any legal action in the name of the Principal or otherwise. This shall include (a) actions for attachment, execution, eviction, foreclosure, indemnity and any other proceeding for equitable or injunctive relief; and (b) legal proceedings in connection with the authority granted in this instrument.
  - (vii) Assistance in Home. The Attorney in Fact shall have the authority to use my funds and property to pay for care and services that I may need in order to remain in my own home in the event I require long-term care. This power includes the authority to pay my Agent, family

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members, and/or friends who provide in-home care or services for me or who arrange for managed care and services for me at the current fair market rates for the services provided.

- (b) Gifting Power. The Attorney in Fact shall have the power to make any gifts, whether outright or in trust, during the Principal's lifetime whether or not consistent with the most current Will executed by or on behalf of the Principal or testamentary provisions of the most current intervivos trust executed by or on behalf of the Principal.
- 3. Intent to Obviate Need for Guardianship. It is the Principal's intent that the power given to the Attorney in Fact designated herein be interpreted to be so broad as to obviate the need for the appointment of a guardian for the person or estate of the Principal. If the appointment of a guardian or limited guardian of the person or estate of the Principal is sought, however, the Principal nominates the then acting Attorney in Fact designated above, if any, as the Principal's guardian or limited guardian, or if no one is then acting as Attorney in Fact, the Principal nominates the persons designated above as Attorney in Fact and successor attorneys-in-fact as guardian or limited guardian, in the same order of priority.
- 4. Effectiveness. It is understood that this Power of Attorney shall become effective immediately upon execution and that its effectiveness shall not be affected by the subsequent disability or incapacity of the Principal.
- 5. <u>Duration</u>. This Power of Attorney becomes effective as provided in Section 4 and shall remain in effect to the extent permitted by the laws of the State of Oregon or until revoked or terminated under Sections 6 or 7, notwithstanding any uncertainty as to whether the Principal is dead or alive.
- 6. Revocation. This Power of Attorney may be revoked, suspended or terminated in writing by the Principal with written notice to the designated Attorney in Fact, and if the same has been recorded, then by recording the written instrument of revocation with the Auditor of the county where the Power of Attorney is recorded.
  - 7. Termination.
  - (a) By Appointment of Guardian. The appointment of a guardian of the estate of the Principal vests in the guardian, with court approval, the power to revoke, suspend or terminate this Power of Attorney as to the powers enumerated in subsections (a) and (b) of Section 2 herein.
  - (b) By Death of Principal. The death of the Principal shall be deemed to revoke this Power of Attorney upon actual knowledge or actual notice being received by the Attorney in Fact.
- 8. Accounting. The Attorney in Fact shall be required to account to any subsequently appointed personal representative.
- 9. Reliance. The designated and acting Attorney in Fact and all persons dealing with the Attorney in Fact shall be entitled to rely upon this Power of Attorney so long as neither the Attorney in Fact nor any person with whom he or she was dealing at the time of any act taken pursuant to this Power of Attorney had received actual knowledge or actual notice of any revocation, suspension or termination of the Power of Attorney by death or otherwise. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees or personal representatives of the Principal. In addition, third parties shall be entitled to rely upon a photocopy of the signed original hereof, as opposed to a certified copy of the same.
- 10. Indemnity. The estate of the Principal shall hold harmless and indemnify the Attorney in Fact from all liability for acts done in good faith and not in fraud of the Principal.
  - 11. Applicable Law. The laws of the State of Oregon shall govern this Power of Attorney.

12. Execution. This Poas provided in Section 4.	ower of Attorney is signed on the library day of Luly, 2002, to become effective		
	ELEANOR AGNES HARVEY		
STATE OF OREGON	) :ss		
County of Klamall			

I certify that I know or have satisfactory evidence that ELEANOR AGNES HARVEY is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 7.10.02



Notary Public in and for the State of Oregon, residing at 2943 S. U. K. 1897 (2005)

My Commission Expires: 1129 2005