

05 MAR 15 PM 11:53

State of Oregon, County of Klamath
Recorded 03/15/2005 11:53 a m
Vol M05 Pg 16947-50
Linda Smith, County Clerk
Fee \$ 36⁰⁰ # of Pgs 4

1st 525503

Vol M05 Page 16947

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.

DURABLE POWER OF ATTORNEY

KNOW EVERYONE BY THESE PRESENTS, which are intended to constitute a General Power of Attorney, **THAT I, David Lee Moore**, having an address at 4314 Wired Street, Klamath Falls, OR 97603, hereby make, constitute and appoint **Leinani Ann Moore**, having an address at 4314 Wired Street, Klamath Falls, OR 97603, 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, indorse, 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 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;

(f) 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-in-fact may deem necessary or appropriate;


(g) 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

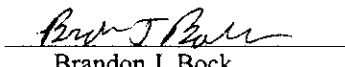
36F

AFFIDAVIT OF WITNESSES

STATE OF OREGON, KLAMATH COUNTY, SS.:

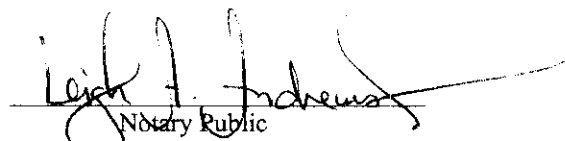
Each of the undersigned, Mardi J. Ruby having an address at 6707 Climax Avenue, Klamath Falls, OR 97603, and Brandon J. Bock having an address at 2449 1/2 Wired Street, Klamath Falls, OR 97603, respectively, being individually and severally duly sworn, did depose and say that: The foregoing last will and testament was subscribed in our presence and sight by David Lee Moore, the Testator named therein. The undersigned witnessed the execution of said will of David Lee Moore on the 20th day of September, 2001. At the time the instrument was so subscribed, the Testator declared said instrument to be his last will and testament. The undersigned thereupon signed their names as witnesses at the end of said will at the request of the Testator, in the presence of the Testator and each other. At the time of so executing said will, in our respective opinions, the Testator was at least eighteen years of age, and was of sound mind, memory and understanding, under no constraint, duress, fraud or undue influence, and in no respect incompetent to make a valid will. In our respective opinions, the Testator was able to read, write and converse in the English language, and was not suffering from any defect of sight, hearing or speech, or from any other physical or mental impairment which would affect his capacity to make a valid will. Each of us was acquainted with the Testator, and we make this affidavit at his request. Said will was shown to us at the time this affidavit was made, and we examined it as to the signature of the Testator and our signatures. Said will was executed as a single, original instrument, and not in counterparts.


Mardi J. Ruby
Witness


Brandon J. Bock
Witness

Subscribed, sworn to and acknowledged before me and subscribed and sworn to before me by the said Mardi J. Ruby and Brandon J. Bock as witnesses, this 20th day of September, 2001.




Notary Public
My commission expires on April 1, 2005

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;

(h) 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;

(i) 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;

(j) to act on my behalf with respect to Federal, state and local income, gift and other taxes of any kind or period, including without limitation the signing of returns, receipt of refunds, waivers and consents, and all other tax matters that I could perform; 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.

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.

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, and 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 reliance upon this power of attorney.

IN WITNESS WHEREOF, I have executed this power of attorney this 20th day of September, 2001.


David Lee Moore

WITNESS:


Mardi J. Ruby

having an address at:
6707 Climax Avenue
Klamath Falls, OR 97603

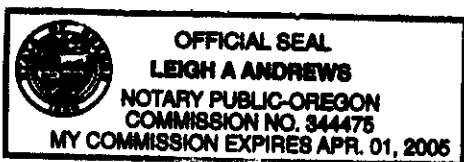
Brandon J. Bock
Brandon J. Bock

16950

having an address at:
2449 1/2 Wired Street
Klamath Falls, OR 97603

STATE OF OREGON, KLAMATH COUNTY, SS.:

The foregoing instrument was acknowledged before me on the 20th day of September, 2001, by David Lee Moore.



Leigh A. Andrews
Notary Public
My commission expires on April 1, 2005