

WTC 87535-JB

2010-005334

Klamath County, Oregon



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Fee: \$62.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED INSTRUMENT
FOR RECORDING. ANY ERRORS IN THIS COVER SHEET
**DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.**

After Recording Return To:

Mary Anne Polus
234 Bellerieve Dr.
Eagle Point, OR 97524

1. Name(s) of the Transaction(s):

DURABLE POWER OF ATTORNEY AND
NOMINATION OF CONSERVATOR

2. Direct Party (Grantor):

WARREN CALDWELL

3. Indirect Party (Grantee):

MARY ANN POLUS

4. True and Actual Consideration Paid:

n/a

5. Legal Description:

62amt

DURABLE POWER OF ATTORNEY AND NOMINATION OF CONSERVATOR

Article I. Principal and Attorney-In-Fact

I, **Warren "Bill" Caldwell**, who in Klamath Falls, Oregon appoint the following person to serve as my attorney in fact, to act for me in any lawful way with respect to the subjects indicated below.

Name: Mary Ann Polus
Address: 234 Bellerieve Dr, Eagle Point, OR 97524

Article II. Effective Time:

This Power of Attorney is to become effective immediately.

Article III. Powers given to Attorney in Fact

1. I give my attorney in fact the powers in this document to use for my benefit and on my behalf. My attorney in fact shall use them in a fiduciary capacity. My attorney in fact shall have the following powers:
 - a. To lease, let, grant, bargain, sell, contract to sell, convey, exchange, remise, release and dispose of any real or personal property of which I am now or hereafter may be possessed or in which I may have any right, title or interest, including rights of homestead, for any price or sum and upon such terms and conditions as to my said attorney may seem proper;
 - b. To take possession of, manage, maintain, operate, repair and improve any and all real or personal property now or hereafter belonging to me, to pay the expense thereof, to insure and keep the same insured and to pay any and all taxes, charges and assessments that may be levied or imposed upon any thereof;
 - c. To buy, sell and generally deal in and with goods, wares and merchandise of every name, nature and description and to hypothecate, pledge and encumber the same;
 - d. To buy, sell, assign, transfer and deliver all or any shares of stock in my name in any corporation for any price and upon such terms as to my said attorney may seem right and proper and to receive and make payment therefore;
 - e. To borrow any sums of money on such terms and at such rate of interest as to my said attorney may seem proper and to give security for the

repayment of the same;

- f. To ask for, demand, recover, collect and receive all moneys, debts, rents, dues, accounts, legacies, bequests, interests, dividends and claims whatsoever which are now or which hereafter may become due, owing and payable or belonging to me and to have, use and take all lawful ways and means in my name for the recovery of any thereof by attachments, levies or otherwise;
- g. To prepare, execute and file any proof of debt and other instruments in any court and to take any proceedings under the Bankruptcy Act in connection with any sum of money or demand due or payable to me and in any such proceedings to vote in my name for the election of any trustee of trustees and to demand, receive and accept any dividend or distribution whatsoever;
- h. To adjust, settle, compromise or submit to arbitration any account, debt, claim, demand or dispute as well as matters which are now subsisting or hereafter may arise between me or my said attorney and any other person or persons;
- i. To sell, discount, endorse, negotiate and deliver any check, draft, order, bill of exchange, promissory note or other negotiable paper payable to me, and to collect, receive and apply the proceeds thereof for my use for any purposes aforesaid; to pay to or deposit the same or any other sum of money coming into the hands of my attorney in checking and in savings accounts in my name with any bank or banker of my attorney's selection and to draw out moneys deposited to my credit with any bank, including deposits in savings accounts, and to apply the same for any of the purposes of my business as my deposit; to appoint any bank or trust company as escrow agent; generally to conduct any and all banking transactions on my behalf;
- j. To make, execute and deliver any and all manner of contracts with reference to minerals, oil, gas, oil and gas rights, rents and royalties, including agreements facilitating exploration for and discovery of oil minerals and deposits;
- k. To commence and prosecute and to defend against, answer and oppose all actions, suits and proceedings touching any of the matters aforesaid or any other matters in which I am or hereafter may be interested or concerned.
- l. To vote any stock in my name as proxy;
- m. To have access to any safety deposit box which has been or may be rented in my name or in the name of myself and any other person or persons;

- n. In connection with any of the powers herein granted, to sign, make, execute, acknowledge and deliver in my name any and all deeds, contracts, bills of sale, leases, promissory notes, drafts, acceptances, evidences of debt, obligations, mortgages, pledges, satisfactions, releases, acquittances, receipts, bonds, writs and any and all other instruments whatsoever, with such general or special agreements and covenants, including those of warranty, as to my said attorney may seem right, proper and expedient;
- o. To hire and to pay from my funds for counsel and services of professional advisors, including a firm of which you are a member, without limitations- physicians, dentists, accountants, attorneys, and investment counselors.
- p. As to my income taxes and other taxes- to sign my name, hire preparers and advisors, and pay for their services from my funds, and to do whatever is necessary to protect my assets from assessments as though I did those acts myself.
- q. To cash, deposit, and accept any social security checks or other government benefit checks, and to make any decisions concerning my social security and other government benefits under Federal law.
- r. Generally to conduct, manage and control all my business and my property, wheresoever situate, as my said attorney may deem for my best interests, hereby releasing all third persons from responsibility for the acts and omissions of my said attorney;
- s. Except as provided in Article IV, I hereby give and grant unto my said attorney full power and authority freely to do and perform 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, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do or cause to be done by virtue hereof.

Article IV. Powers not Granted to my Attorney in Fact

- 1. My attorney in fact shall not have the following powers:
- 2.
 - a. To use my assets for his/her own legal obligations, including but not limited to support of my attorney in fact or his/her dependants. EXCEPT: this section shall not apply if the attorney in fact is my spouse and my spouse is using my assets to pay our joint legal obligations.
 - b. To make or change my will in any fashion
 - c. To change the beneficiaries of any life insurance policy that I own.

- d. Notwithstanding the above, nothing contained in these limitations shall be construed to limit the powers that my attorney may have pursuant to any other instrument or legal status that you might have, such as that of conservator, trustee, or executor.

Article V. Miscellaneous

1. If protective proceedings of my person or estate, or both, are begun after I sign this document, I nominate for the Court's consideration the following persons:
For the conservatorship of my person and of my estate:

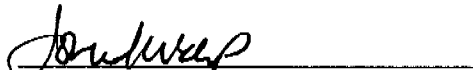
1. I nominate, Mary Ann Polus.
2. If any provision of this document is not valid, all other provisions shall remain valid.
3. My attorney in fact is not liable to me or any of my successors when, in good faith, he/she acts or does not act under this document; but this freedom of liability is not effective in the event of willful misconduct or gross negligence.
4. Where required, the singular includes the plural, and the plural includes the singular.
5. In executing this power of attorney, which I understand to be a durable power of attorney, I have sought the advice of an attorney, and understand the ramifications of my execution of said document. I further state that I execute this document freely and voluntarily and for the uses and purposes herein mentioned. This Power of Attorney shall not be affected by subsequent incapacity of the principal.

IN WITNESS WHEREOF, I have hereunto signed this instrument this 10
day of Feb, 2010.


Warren "Bill" Caldwell

We, the undersigned, swear that we witnessed Warren "Bill" Caldwell execute the foregoing power of attorney. To the best of our knowledge, Warren "Bill" Caldwell was, at the time 18 years of age or older, of sound mind, and under no constraint or undue influence.

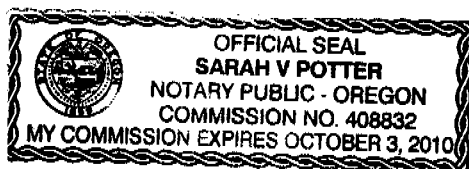

Thomas L. Potter IV
431 Main Street
Klamath Falls, Oregon 97601

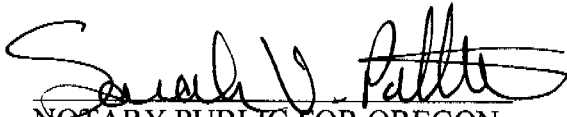

Jonel Waldrup
431 Main Street
Klamath Falls, Oregon 97601

STATE OF OREGON)
) ss.
County of Klamath)

BE IT REMEMBERED that on this the 10 day of Feb, 2010, before me, a Notary Public in and for said county and state, personally appeared Warren "Bill" Caldwell, known to me to be the identical person described in and who signed the foregoing Power of Attorney consisting of Five (5) typed pages including this page, and acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned. The witnesses, Jacqueline J. Trupner and Thomas L. Potter IV appeared before me and swore that to the best of their knowledge, Warren "Bill" Caldwell was at the time, 18 years of age or older, of sound mind, and under no constraint or undue influence.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on this, on the day and year last hereinabove written.




NOTARY PUBLIC FOR OREGON
My commission Expires: 10-3-2010