

WTC 94317

2012-008007

Klamath County, Oregon



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**DURABLE GENERAL POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, That I, **WALLACE R. JOHNSON**, have made, constituted and appointed and by these presents do make, constitute and appoint my two sons, **BRADLEY ROBERT JOHNSON** and **GREGORY CHARLES JOHNSON**, jointly, or either one of them serving alone, my true and lawful attorney, for me and in my name, place and stead and for my use and benefit,

(1) 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;

(2) 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;

(3) 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;

(4) 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 therefor;

(5) 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;

(6) 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;

(7) 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 or trustees and to demand, receive and accept any dividend or distribution whatsoever;

(8) To pay, 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;

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(9) To sell, discount, endorse, negotiate and deliver any check, draft, order, bill of exchange, promissory note or other negotiable paper payable to me, including any payments to me drawn on the Treasury of the United States or the State of Oregon or any other state or governmental entity, and to collect, receive and apply the proceeds thereof for my use for any purpose; 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 purpose on my behalf as my said attorney may deem expedient; to purchase and sell certificates of deposit; to appoint any bank or trust company as escrow agent; generally to conduct any and all banking transactions on my behalf;

(10) 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;

(11) 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;

(12) To vote any stock in my name as proxy;

(13) 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;

(14) 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;

(15) To employ, pay and discharge clerks, workmen, brokers and others, including counsel and attorneys in connection with the exercise of any of the foregoing powers;

(16) To have authority to receive confidential information and full power to perform on behalf of the undersigned the following acts with respect to any and all tax matters: (a) to receive payment of any refund, (b) to execute waivers of restriction on assessment or collection of deficiencies in tax and waivers of notice of disallowance of a claim for credit or refund, (c) to execute consents extending the statutory period for assessment or collection of taxes, (d) to execute closing agreements under Section 7121 of the Internal Revenue Code, (e) to delegate

authority or substitute another representative, (f) to sign tax returns on my behalf, (g) to represent me, or obtain representation for me, at any proceeding involving taxing authorities, including any tax audit or collection action, and (h) to execute any documents to accomplish any of these tax matters;

(17) 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;

(18) To make expenditures for my care, maintenance, support and general welfare, and to distribute such sums as are necessary for the health, education, support and maintenance of members of my family who are dependent upon me for support;

(19) To act on my behalf in dealing with my pension and retirement plans, including the power to make IRA contributions, IRA rollovers, voluntary contributions, borrow from any retirement plan, elect or select payout options, direct investments of my assets in any such plans in which I would have authority to direct investments, and take any other steps which I might take on my own behalf with regard to my retirement and/or IRA/pension plans;

(20) To convert joint assets into sole ownership of the other joint tenant, and also to liquidate any jointly held assets and to direct the investment holder to make the liquidation check to the benefit of only one of the joint owners;

(21) To redirect my mail;

(22) To cancel or continue my credit cards and/or any credit or charge accounts;

(23) To take custody of my Will, deeds, life insurance policies, contracts, securities, or other important papers;

(24) To reform any estate planning documents, other than Wills, if they prove to be defective after incompetency;

(25) To make any decisions which the holder of the power may, in his or her own discretion, determine necessary for disposing of or transferring my property in order to effect the best result possible for my entitlement to public services or benefits;

(26) To do and perform every act necessary or desirable and to serve as representative payee with respect to rights and entitlements for my benefit and the benefit of my spouse from Social Security, Medicare and military service;

(27) In addition to the above powers, my said attorney shall have authority to make any decision and give any authorization, consent or direction in connection with my housing and my daily care.

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.

I expressly declare that I am familiar with the provisions of ORS 127.005, which specifies that the powers of attorney herein granted shall be exercisable by my said attorney on my behalf notwithstanding my later disability or incompetence, and it is my intent that those provisions apply to this instrument.

It is my specific intent, in granting this power of attorney to two of my children, that either one of them, acting alone, is fully authorized to exercise all powers granted herein. In other words, either one of them may act alone, without any need for the other to approve, concur, consent or join in said action, and any third party with whom they are dealing shall be entitled to rely on the action of one of them, without any need to seek the approval, concurrence, consent or joinder of the other of them.

All questions pertaining to validity, interpretation and administration of this power shall be determined in accordance with the laws of Oregon.

IN WITNESS WHEREOF, I have hereunto signed this instrument on this 15<sup>th</sup> day of June, 1998.

  
Wallace R. Johnson

STATE OF OREGON           )  
                                  ) ss.  
County of Multnomah )

BE IT REMEMBERED, That on this, the 15<sup>th</sup> day of June, 1998, before me, a Notary Public in and for said county and state, personally appeared Wallace R. Johnson, known to me to be the identical person described in and who executed the foregoing Power

of Attorney and acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

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

*Robert T. Huston*

NOTARY PUBLIC FOR OREGON

My commission expires: 10/22/2000

