

**RECORDING COVER SHEET**  
**(Please Print or Type)**

The information on this sheet is a reflection of the attached instrument for the purpose of meeting first page requirements, ORS 205.234.

**2014-003171**

Klamath County, Oregon

04/10/2014 12:59:56 PM

Fee: \$62.00

If this cover page is included with your document, please add \$5.00 to the total recording fees.

**AFTER RECORDING RETURN TO:**

\_\_\_\_\_  
Diane Ernst

\_\_\_\_\_  
P.O. Box 696

\_\_\_\_\_  
Gilchrist, OR 97737

0100444

**1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**

Power of Attorney

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

Frank Banka

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**

Diane Lynn ernst

**4) TRUE AND ACTUAL CONSIDERATION**

ORS 93.030(5) - Amount in dollars or other

\$ 0.00

☐ Other

**5) SEND TAX STATEMENTS TO:**

remain unchanged

**6) SATISFACTION of ORDER or WARRANT**

ORS 205.125(1)(e) |

CHECK ONE:

(If applicable)

☐  
☐

FULL

PARTIAL

**7) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c)**

\$

**8) If this instrument is being re-recorded, complete the following statement, in accordance with ORS 205.244:**

"Re-recorded at the request of \_\_\_\_\_ to correct

\_\_\_\_\_ previously recorded in Book \_\_\_\_\_ and page \_\_\_\_\_, or as Fee Number \_\_\_\_\_."

Return to:

**AmeriTitle**

## DURABLE GENERAL POWER OF ATTORNEY

I, FRANK BANKA, revoke all prior Durable General Power of Attorney documents created for me, and do hereby make, constitute and appoint DIANE LYNN ERNST my agent and attorney in fact (hereafter called "Agent"), with power and authority to:

i. Support. To make expenditures for my care, maintenance, support and general welfare, and to distribute such sums as are necessary for the care, maintenance, education and support of members of my immediate family who are or become dependent upon me for support;

ii. Management. To take possession of, manage, administer, operate, maintain, improve and control all my property, real and personal; 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;

iii. Collections. To collect and receive any money, property, debts or claims whatsoever, now or hereafter due, owing and payable or belonging to me; and to forgive debts; and to give receipts, acquittance or other sufficient discharges for any of the same;

iv. Checks and Notes. To sign, endorse, sell, discount, deliver and/or deposit checks, drafts, notes and negotiable or non-negotiable instruments, 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 accept drafts;

v. Investments. To retain any property in the hands of the Agent in the form in which it was received; and to make investments and changes of investments in such securities, including common and preferred stocks of corporations or other property, real or personal, as my Agent may deem prudent;

vi. Debts. To pay my debts and other obligations;

vii. Litigation. To sue upon, defend, compromise, submit to arbitration or adjust any controversies in which I may be interested; and to act in my name in any complaints,

proceedings or suits with all the powers I would possess if personally present and under no legal disability;

viii. Acquisition. To bargain for, buy and deal in property and goods of every description;

ix. Disposition. To sell, convey, grant, exchange, transfer, option, convert, mortgage, pledge, consign, lease and otherwise dispose of any of my property, whether real or personal;

x. Borrowing. To advance or loan the Agent's own funds on my behalf; and to borrow any sums of money on such terms and at such rate of interest as my Agent may deem proper and to give security for the repayment of the same;

xi. Agreements. To make and deliver any deeds, conveyances, contracts, covenants and other instruments, undertakings or agreements, either orally or in writing, which my Agent may deem proper;

xii. Voting. To appear and vote for me in person or by proxy at any corporate or other meeting;

xiii. Safe Deposit Box. To have access to any safety deposit box which has been rented in my name or in the name of myself and any other person or persons;

xiv. Withdrawal of Funds. To withdraw any monies deposited with any bank, mutual savings bank, credit union, savings and loan association, mutual fund, money market account, investment advisor or broker in my name or in the name of myself and any other person or persons and generally to do any business with any such financial institution or agency on my behalf;

xv. Tax Returns. To sign and file on my behalf all city, county, state, federal and other governmental or quasi-governmental tax returns or reports, including income, gift, sales, business, and property tax returns or reports of every kind whatsoever; to execute waivers, extensions agreements, settlement agreements and closing agreements with respect to those returns and to appear for me, in person or by attorney, and represent me before the United States Treasury Department or the Oregon Department of Revenue or the taxing authority of any other state or governmental entity;

## 2-DURABLE GENERAL POWER OF ATTORNEY

xvi. Government Benefits. 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;

xvii. Treasury Bonds. To purchase U.S. Treasury bonds or other instruments redeemable at par in payment of federal estate taxes;

xviii. Additions to Trust. To add any or all of my assets to a trust created by me alone or in conjunction with one or more other persons and already in existence at the time of the creation of this power if the trust provides that the income and principal shall be paid to me or applied for my interest during my lifetime;

xix. Business Interests. To continue as a going concern any business interest owned by me, either individually or as a co-partner;

xx. Substitution and Delegation. To appoint and substitute for my said Agent any Agents, nominees or attorneys to exercise any or all of the powers herein and to revoke their authority at pleasure.

xxi. Alternate Agent. If DIANE LYNN ERNST is unable or unwilling to act as my Agent, I appoint CATHY JUNE GIBBONS as my Agent and attorney-in-fact. The term "my Agent" in this power of attorney shall include any alternate agent who is authorized to act under this paragraph.

xxii. General Authority. I authorize my Agent for me in my name generally to do and perform all and every act and thing necessary or desirable to conduct, manage and control all my business and my property, wheresoever situate, and whether now owned or hereafter acquired, as my Agent may deem for my best interests and to execute and acknowledge any and all instruments necessary or proper to carry out the foregoing powers, hereby releasing all third persons from responsibility for my Agent's acts and omissions and I empower my Agent to indemnify all such persons against loss, expense and liability.

xxiii. Third Party Reliance. Third persons may conclusively rely upon the continued validity of this

### 3-DURABLE GENERAL POWER OF ATTORNEY

Power of Attorney until receiving actual knowledge of its revocation. Third persons may conclusively rely on a copy of this instrument in its entirety or any portion thereof certified as such by my Agent.

xxiv. Durability. These powers of attorney shall be exercisable by my Agent on my behalf notwithstanding that I may become legally disabled or incompetent.

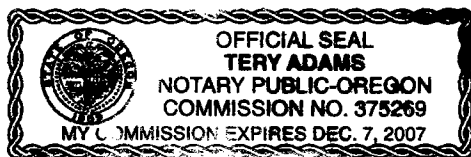
xxv. Governing Law. All questions pertaining to validity, interpretation and administration of this power shall be determined in accordance with the laws of Oregon.

DATED this 21<sup>st</sup> day of July, 2006.

Frank Banka  
FRANK BANKA

STATE OF OREGON                    )  
  )     ss:  
County of Deschutes            )

This instrument was acknowledged before me on the 21 day of July, 2006, by FRANK BANKA.



Tery Adams  
Notary Public for Oregon  
My Commission expires: 12/7/07