

2017-001969

Klamath County, Oregon



02/24/2017 03:45:57 PM

Fee: \$67.00

DURABLE POWER OF ATTORNEY FOR FINANCIAL MANAGEMENT

THIS DURABLE POWER OF ATTORNEY for financial management is given by me, Mary A. Irvine (the "Principal"), residing at 7018 Sierra Place, Klamath Falls, in the State of Oregon, on this 15th day of October, 2016.

Nature of Power

1. THIS IS A DURABLE POWER OF ATTORNEY and the authoring of the Attorney-in-Fact shall not terminate if I become disabled or incapacitated. For the purposes of this document incapacitation is defined as: A medical physician stating verbally or in writing that the Principal can no longer make decisions for herself.

Previous Power of Attorney

2. I REVOKE any previous power of attorney granted by me.

Attorney-in-Fact

3. I APPOINT Allen E. Irvine, residing at 1215 Lakeshore Drive, Klamath Falls, Oregon, to act as my Attorney-in-Fact.

Governing Law

4. This document will be governed by the laws of the State of Oregon. Further, my Attorney-in-Fact is directed to act in accordance with the laws of the State of Oregon at any time he is acting on my behalf.

Liability of Attorney-in-Fact

5. My Attorney-in-Fact will not be liable to me, my estate, my heirs, successors or assigns for action taken or not taken under this document, except for willful misconduct or gross negligence.

Effective Date

6. The Power of Attorney will start immediately and will continue notwithstanding a finding of my mental capacity or mental infirmity which may occur after my execution of this Power of Attorney.

Powers of Attorney-in-Fact

7. My Attorney-in-Fact will have the following powers:
 - a) Real Estate Transactions. To deal with any interest I may have in real property and sign all documents on my behalf concerning my interest, including, but not limited to real property subsequently acquire or receive. These powers include the ability to purchase, sell, exchange, accept as gift, place as security on loans, convey with or without covenants, rent, collect rent, sue for and receive rents, eject and remove tenants or other persons, to pay or contest taxes or assessments, control any legal claim in favor of or against me, partition or consent to partitioning, mortgage, charge, lease, surrender, manage or otherwise deal with real estate and any interest therein; and execute and deliver deeds, transfers, mortgages, charges, leases, assignments surrenders, releases and other instruments required for any such purpose.
 - b) Stock and bond transactions. To purchase, sell, exchange, surrender, assign, redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other securities in any business, association, corporation, partnership, or other legal entity, whether private or public, now or hereafter belonging to me.
 - c) Banking and other financial institution transactions. To make, receive, sign, endorse, execute, acknowledge, deliver and possess checks, drafts, bills of exchange, letters of credit, notes, stock certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations. To pay all sums of money, at any time or times that may hereafter be owed by me upon any account, bill of exchange, check, draft, purchase, contract, note, or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name, by my Attorney-in-Fact. To

Tara Irvine
Returned at Counter

borrow from time to time such sums of money as my Attorney-in-Fact may deem proper and execute promissory notes, security deeds or agreements, financing statements, or other security instruments in such form as the lender may request and renew said notes and security instruments from time to time in whole or in part. To have free access at any time or times to any safe deposit box or vault to which I might have access.

- d) Insurance and annuity transactions. To exercise or perform any act, power, duty, right, or obligation, in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any combination of insurance; and to procure new or additional contracts of insurance for me and to designate the beneficiary of same; provided, however, that my Attorney-in-Fact cannot designate himself or herself as beneficiary of any such insurance contracts.
- e) Estate, trust, and other beneficiary transactions. To accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for the principal; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for the benefit of the principal that terminates at the death of the principal and is then distributable to the legal representative of the estate of the principal; and, in general, exercise all powers with respect to estates and trusts which the principal could exercise if present and under no disability; provided, however, that the Attorney-in-Fact may not make or change a will and may not revoke or amend a trust revocable or amendable by the principal or require the trustee of any trust for the benefit of the principal to pay income or principal to the Attorney-in-Fact unless specific authority to that end is given.
- f) Claims and litigation. To commence, prosecute, discontinue, or defend all actions or other legal proceedings touching my property, real or personal, or any part thereof, or touching any matter in which I or my property, real or personal, may be in any way concerned. To defend, settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts, reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between me and any person, firm, corporation, or other legal entity, in such manner and in all respects as my Attorney-in-Fact shall deem proper.
- g) Business Operating Transactions: To take any action my Attorney-in-Fact deems necessary with business that I may own or have any interest in, by doing any act that can be done through an attorney-in-fact. This power includes, but is not limited to, the power to execute, seal and deliver any instrument, participate in any legal business of any kind, execute partnership agreements and amendments; to incorporate, reorganize, consolidate, merge, sell, or dissolve any business; to elect or employ officer, directors and agents; and to exercise voting rights with respect to any stock I may own, either in person or by proxy.
- h) Personal and family maintenance. To hire accountants, attorneys at law, consultants, clerks, physicians, nurses, agents, servants, workmen, and others and to remove them, and to appoint others in their place, and to pay and allow the persons so employed such salaries, wages, or other remunerations, as my Attorney-in-Fact shall deem proper.
- i) Benefits from Social Security, Medicare, Medicaid, or other governmental programs, or military service. To prepare, sign and file any claim or application for Social Security, unemployment or military service benefits; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and

hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and, in general, exercise all powers with respect to Social Security, unemployment, military service, and governmental benefits, including but not limited to Medicare and Medicaid, which the principal could exercise if present and under no disability.

- j) Retirement plan transactions. To contribute to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan); select and change payment options for the principal under any retirement plan; make rollover contributions from any retirement plan to other retirement plans or individual retirement accounts; exercise all investment powers available under any type of self-directed retirement plan; and, in general, exercise all powers with respect to retirement plans and retirement plan account balances which the principal could if present and under no disability.
- k) Tax matters. To prepare, to make elections, to execute and to file all tax, social security, unemployment insurance, and informational returns required by the laws of the United States, or of any state or subdivision thereof, or of any foreign government; to prepare, to execute, and to file all other papers and instruments which the Attorney-in-Fact shall think to be desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties imposed for claimed violation of any law or other governmental regulation; and to pay, to compromise, or to contest or to apply for refunds in connection with any taxes or assessments for which I am or may be liable.
- l) Gift Transactions. To make gifts to my children, grandchildren, and other family members on special occasions, including birthdays and seasonal holidays, including cash gifts; and if appropriate to make such gifts for estate planning or tax purposes, in such amounts as my Attorney-in-fact may decide in his absolute discretion, having regard to all of the circumstances, including the gifts I made while I was capable of managing my own estate, the size of my estate and my income requirements.
- m) Chattel and Goods Transactions. To purchase, sell otherwise deal with any type of personal property I may currently or in the future have interest in. This includes, but is not limited to, the power to purchase, sell, exchange, accept as a gift, place as a security on loans, rent, lease, to pay or contest taxes or assessments, mortgage or pledge.

Attorney-in-Fact Compensation

- 8. My Attorney-in Fact will receive no compensation except for the reimbursement of all out of pocket expenses.

Personal Health Information

- 9. I intend for my attorney-in-fact under this Power of Attorney to be treated, as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (aka HIPAA), 42 USC 1320d and 45 CFR 160-164.

Co-owning of Assets and Mixing of Assets

- 10. My Attorney-in-Fact may continue to co-own assets and have any funds owned by him mixed with my funds to the same extent that the co-owning of assets and mixing of funds existed before the execution of this Power of Attorney.

Personal Gain from Managing My Affairs

11. My Attorney-in-Fact is allowed to personally gain from any transactions he or she may complete on my behalf, providing that the transaction is completed in good faith and with my Attorney-in-Fact believing that it is in my best interest.

Nomination of Guardian or Conservator

12. In the event that a court decides that it is necessary to appoint a guardian or conservator for me, I hereby nominate my Attorney-in-Fact to be considered by the court for appointment to serve as my guardian or conservator, or in any similar representative capacity.

Attorney-in-Fact Restrictions

13. The Power of Attorney is not subject to any conditions or restrictions other than those that may be included in this document.

Notice to Third Parties

14. Any third party who receives a valid copy of the Power of Attorney may rely on and act under. A third party who relies on the reasonable representations of my Attorney-in-Fact as to a matter relating to a power granted by this Power of Attorney will not incur any liability the Principal or to the Principal's heirs, assigns, or estate as a result of permitting the Attorney-in-Fact to exercise the authority granted by this Power of Attorney up to the point of revocation of this Power of Attorney. Revocation of this Power of Attorney will not be effective as to a third party until the third party receives notice and has actual knowledge of the revocation.

Severability

15. If any part of any provision of this document is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of the invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this document.

Acknowledgment

16. I, Mary A. Irvine, being the Principal named in the Durable Power of Attorney hereby acknowledge that I have read and understand the nature and effect of this Durable Power of Attorney; that I recognize that this document gives my Attorney-in-Fact broad powers over my assets, and that these powers will continue past to the point of my incapacity; and that I am voluntarily giving this Durable Power of Attorney and recognize that the powers given in this document will become effective as of the date of my incapacity or as specified above.

SIGNED

in presence of

Witness [Signature] (sign)

Witness Name: ARLENE DILLARD

Address: 6911 SIERRA PL.
Klamath Falls, Oregon

Witness [Signature] (sign)

Witness Name: ARTHUR W. DILLARD

Address: 6911 SIERRA PL.
Klamath Falls, Oregon

Mary A. Irvine
Mary A. Irvine (Principal)

10-15-16

Date

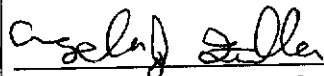
State of Oregon Notarial Certification (ORS Ch. 194.280, 194.285)

Acknowledgement in an Individual Capacity

State of OREGON

County of Klamath

This record was acknowledged before me on February 24, 2017 by Mary A. Irvine.



Notary Public – State of Oregon



Official Stamp

Document Description

The certificate is attached to page 4 of a Durable Power of Attorney for Financial Management, dated October 15, 2016, consisting on ~~eight (8)~~ ^{five (5)} pages.

md md

Attorney-in-Fact Acknowledgment

I, Allen E. Irvine, have read the attached power of attorney and I am the person identified as the attorney-in-fact for the principal. I hereby acknowledge and accept my appointment as Attorney-in-Fact; and that when I act as agent I shall exercise the powers for the benefit of the principal, I shall exercise reasonable caution and prudence, and I shall keep a full and accurate record of all actions, receipts and disbursements on behalf of the principal.



Allen Irvine

10/15/16

Date

Witness Attestation

I, Arlene W. Dillard currently residing at 6911 Sierra Pl, Klamath Falls, Oregon, hereby acknowledge that:

1. I witnessed the signing of the Power of Attorney of Mary A. Irvine dated this 15th day of October, 2016.
2. I am an adult with capacity to witness the signing of the Power of Attorney and I am subscribing witness thereto.
3. In my opinion, Mary A. Irvine had the capacity to understand the nature and effect of the Power of Attorney at the time the Power of Attorney was signed and the Principle signed it freely and voluntarily without any compulsion or influence from any person.
4. I am not the Attorney-in-Fact named in the Power Attorney nor am I the Attorney-in-Fact's spouse or other family member.



Signature of Witness

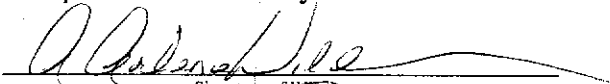
10-15-16

Date

Witness Attestation

I, Arlene W. Dillard, currently residing at 6911 SIERRA PL, Klamath Falls, Oregon, hereby acknowledge that:

1. I witnessed the signing of the Power of Attorney of Mary A. Irvine dated this 15th day of October, 2016.
2. I am an adult with capacity to witness the signing of the Power of Attorney and I am subscribing witness thereto.
3. In my opinion, Mary A. Irvine had the capacity to understand the nature and effect of the Power of Attorney at the time the Power of Attorney was signed and the Principle signed it freely and voluntarily without any compulsion or influence from any person.
4. I am not the Attorney-in-Fact named in the Power Attorney nor am I the Attorney-in-Fact's spouse or other family member.



Signature of Witness

ARLENE DILLARD

10-15-16

Date