

**RECORDING COVER SHEET**

ORS 205.234

This cover sheet has been prepared by:

**2017-003402****Klamath County, Oregon****03/31/2017 02:17:00 PM****Fee: \$57.00**

Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

Reference:

1396-11860

Please print or type information.

**1. AFTER RECORDING RETURN TO –**

Required by ORS 205.180(4) &amp; 205.238:

Name: Hal HilyardAddress: 2609 Vale RdCity, ST Zip: Klamath Falls OR, 97603**2. TITLE(S) OF THE TRANSACTION(S) – Required by ORS 205.234(1)(a)**

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

**Document Title(s):** Durable Power of Attorney**3. DIRECT PARTY / GRANTOR Names and Addresses – Required by ORS 205.234(1)(b)**  
for Conveyances list Seller; for Mortgages/Liens list Borrower/Debtor**Grantor Name:** Shirley F Hilyard**Grantor Name:** \_\_\_\_\_**4. INDIRECT PARTY / GRANTEE Names and Addresses – Required by ORS 205.234(1)(b)**  
for Conveyances list Buyer; for Mortgages/Liens list Beneficiary/Lender/Creditor**Grantee Name:** Hal D Hilyard**Grantee Name:** \_\_\_\_\_**5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:****UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO  
THE FOLLOWING ADDRESS:**Name: NO CHANGE

Address: \_\_\_\_\_

City, ST Zip: \_\_\_\_\_

**6. TRUE AND ACTUAL CONSIDERATION –**  
Required by ORS 93.030 for an instrument conveying or contracting to convey fee title or any memorandum of such instrument:**\$** 0**7. TAX ACCOUNT NUMBER OF THE PROPERTY if the instrument creates a lien or other interest that could be subject to tax foreclosure. – Required by ORS 312.125(4)(b)(B)**Tax Acct. No.: N/A

## DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Shirley F. Hilyard, do hereby make, constitute and appoint my son, Hal G. Hilyard, my agent and attorney-in-fact with power and authority:

1. 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.

2. To collect and receive any money, property, debts or claims whatsoever, as are now or shall hereafter become due, owing and payable or belonging to me, to forgive debts, and to give receipts, acquittance or other sufficient discharge for any of the same.

3. To make expenditures for my care, maintenance, support and general welfare, and to distribute such sums as are necessary for the care, support and maintenance of members of my family who are dependent upon me for support.

4. To retain any property which comes into the possession of my attorney 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 attorney may deem prudent.

5. To pay my debts and other obligations.

6. 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.

7. To bargain for, buy and deal in property and goods of every description.

8. To convey, grant, sell, mortgage, pledge, consign, lease, hypothecate and in any and every manner deal in and with my property, both real and personal.

9. To advance my said attorney's own funds on my behalf and to borrow any sums of money on such terms and at such rates of interest as to my said attorney may deem proper and give security for the repayment of the same.

10. To make and deliver any deeds, conveyances, contracts, covenants and other instruments, undertakings or agreements, either orally or in writing, of whatever kind and nature, including the right to supply the legal description of any real property involved in any of the foregoing documents, which my said attorney, in my attorney's discretion, shall deem to be for my best interests.

11. 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 Treasurer of the United States or the State of Oregon or any other state or governmental entity, and to accept drafts.

12. To appear and vote for me in person or as my proxy at any corporate or other meeting.

13. To have access to any safe deposit box which has been rented in my name, or in my name with any other person or persons.

14. To do and perform every act necessary or desirable and to serve as representative payee with respect to rights and entitlement for my benefit from Social Security or Medicare.

15. To make investments and changes of investment in such income bearing securities, including common and preferred stocks of corporations, or other property, real or personal, as my said attorney in its discretion may deem prudent, and to hold my securities in the name of its nominee or unregistered in such form that transfer thereof may be effected by delivery.

16. To withdraw any monies deposited with any bank, mutual savings bank, credit union, savings and loan associations, 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.

17. To appoint and substitute for my said attorney any agents or attorneys for any or all of the purposes aforesaid, and their authority at pleasure to revoke.

18. Should Hal G. Hilyard fail to qualify or cease to act as my attorney-in-fact, I hereby make, constitute and appoint my daughter, Kelly A. Wallace, and/ or my daughter, Shana L. Lavier, as my attorney-in-fact, to act under the terms and powers of this General Durable Power of Attorney.

I authorize my said attorney for me and in my name generally to do and perform all and every act and thing whatsoever requisite, desirable or necessary to be done in the premises, to conduct, manage and control all my business and my property, wheresoever situate and whether now owned or hereafter acquired, as my attorney 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 and saving harmless all third persons from responsibility for the acts and omissions of my said attorney and empowering my said attorney to indemnify all such persons against loss, expense and liability. Third persons may rely upon the continued validity of this Power of Attorney until receiving actual knowledge of its revocation.

I expressly declare that I am familiar with the provisions of ORS 127.005 and that the powers of my attorney herein described shall be exercisable by my said attorney on my behalf notwithstanding that I may become legally disabled or incompetent.

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 set my hand this 19<sup>th</sup> day of August, 2016.

*Shirley F. Hillyard*  
Shirley F. Hillyard

STATE OF OREGON) ) ss.  
County of Klamath )

Personally appeared the above-named Shirley F. Hilyard on this 19<sup>th</sup> day of August, 2016 and acknowledged the foregoing instrument to be her voluntary act. Before me:

Julia Blain  
Notary Public for Oregon  
My Commission expires: 9/23/2017

