

**DURABLE POWER OF ATTORNEY**

**2020-006384**

**OF**

Klamath County, Oregon

**Diana Louise Wright**



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Fee: \$122.00

**I. PRINCIPAL AND ATTORNEY-IN-FACT**

Returned at Counter

I, Diana Louise Wright, who resides at 4144 Summers Lane, Klamath Falls, Oregon, 97603, 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: Edis Worden  
5603 Liberty Avenue  
Klamath Falls, Oregon 97603  
(541)591-0800  
(541)885-1730

If Edis Worden resigns, or is unable or unwilling to serve as my attorney-in-fact, I appoint the following person to serve as my successor attorney-in-fact.

Name: Dan Wright  
5346 South Queenswood 1000 Drive  
Taylorsville, Utah 84118  
(801)573-8399

**II. EFFECTIVE TIME**

This Power of Attorney is effective immediately and will remain in effect if the principal becomes financially incapable, and be

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unaffected by the passage of time. This is a Durable Power of Attorney.

Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and any similar state laws, and exclusively for the purpose of making a determination of my incapacitation or inability of managing my financial affairs and obtaining an affidavit of such incapacitation by a physician, I authorize any health care provider to disclose to the person named herein as my "attorney-in-fact", any pertinent individually identifiable health information sufficient to determine whether I am by reason of illness or mental or physical disability incapacitated or incapable of managing my financial affairs. In exercising such authority, my attorney-in-fact shall constitute my "Personal Representative" as defined by HIPAA.

### **III. POWER OF ATTORNEY-IN-FACT**

My attorney-in-fact shall have the power to act in my name, place, and stead in any way which I myself could do with respect the following matters to the extent permitted by laws:

**MY ATTORNEY-IN-FAT SHALL BE AUTHORIZED TO ENGAGE ONLY IN THOSE ACTIVITIES THAT ARE INITIALED.**

DXW)

#### **REAL ESTATE TRANSACTIONS:**

- Manage, sell, transfer, lease, mortgage, pledge, refinance, insure, maintain, improve, and perform any and all other acts with respect to real property and interests in real property that I own now or later acquire.
- Defend, settle and enforce by litigation a claim to real property and interests in real property that I own or later acquire.
- Buy, lease, or otherwise acquire real property or an interest in real property, including the authority to enter to listing

agreements and purchase and sale contracts, and to sign escrow instructions.

- Execute deeds, mortgages, releases, satisfactions, and other instruments relating to real property and interests in real property that I own now or later acquire.  
Hire and discharge accountants, bookkeepers, property managers, and other professionals providing services related to real property and interests in real property that I own or later acquire.
- Exercise all powers with respect to real property and interests in real property that I could if present and under no financial incapacity.

(DLU) PERSONAL PROPERTY TRANSACTIONS:

- Buy or otherwise acquire ownership or possession of, sell, or otherwise dispose of, mortgage, pledge, assign, lease, insure, maintain, improve, pay taxes on, otherwise manage personal property and interests in personal property that I now own or later acquire, and exercise all powers with respect to personal property and interests in personal property that I could if present and under no financial incapacity.
- Authority over and the right to access: (1) the content of any of my electronic communications; (2) any catalogue of electronic communications sent or received by me; and (3) any other digital asset in which I have a right or interest, in accordance with applicable state law.

(DLU) STOCK AND BOND TRANSACTIONS:

- Buy, sell, pledge, and exchange stocks, mutual funds, bonds, options, commodity futures and all other types of securities in my name.
- Sign, accept, and deliver in my name certificates, contracts or other documents relating to the foregoing, including agreements with brokers or agents.
- Exercise voting and other rights and enter into agreements relating thereof.
- Hire and discharge professionals providing services related to the management and investment of any securities in my name.
- Exercise all powers with respect to securities that I could if present and under no financial incapacity.

(DLU) BANKING AND FINANCIAL TRANSACTIONS:

Conduct any business with banks, Savings, and loan associations, credit unions, and other financial institutions, including but not limited to the authority to:

- Sign and endorse all checks and drafts in my name.
- Deposit and withdraw from accounts
- Open, maintain, and close accounts or other banking arrangements.
- Borrow money, pledge property as security, and negotiate terms of debt payments.
- Applying for and receiving letters of credit, credit cards, and traveler's checks, and giving an indemnity or other agreement in connection with letters of credit.
- Exercise all powers with respect to financial institution transactions that I could if present and under not financial incapacity.

(b)(1) BUSINESS OPERATING TRANSACTIONS:

- Buy, sell, expand, reduce, or terminates a business interest, including but not limited to shares in a corporation, membership interests in a limited liability company, and partnership interests in a general, limited, or limited liability partnership.
- Manage and operate any business or business interest that I now have or later acquire, including but not limited to the authority to:
  - Enter into, amend, enforce, and terminate any business contract.
  - Disburse, receive, and demand money in the operating of the business.
  - Merge, reorganize, or sell a business or part of a business.
  - Determine the location, nature, and method of operating the business.
  - Hiring and firing employees and agents.
- To the extent that an agent is permitted by law to act for a principal, and subject to the terms of any partnership or operating agreement, to perform any duty and exercise any right, power or privilege that I have under a partnership or operating agreement, to enforce the terms of a partnership or operating agreement, and to defend, arbitrate and settle any legal proceeding to which I am a party because of membership in a partnership or limited liability company.

- Exercise a right, power, or privilege that I have as a holder of a bond, share or instrument of similar character and to defend, arbitrate, and settle any legal proceeding to which I am party because of any bond, share or similar instrument.
- Exercise all powers with respect to business operation transactions that I could if present and under no financial incapacity.

(PL) **INSURANCE AND ANNUITY TRANSACTIONS:**

- Obtain, modify, renew, convert, rescind, pay the premium on, or terminate insurance and annuities of all types for myself.
- Designate the beneficiary of the contract, but the attorney-in-fact was named a beneficiary of the contract, or an extension, renewal, or substitute for it, only to the extent the attorney-in-fact was named as a beneficiary under a contract procured by the principal before signing this Power of Attorney.
- Surrender and receive the cash value, borrow against or pledge any insurance or annuity policy.
- Exercise all powers with respect to insurance and annuity transactions that I could if present and under no financial incapacity.

(PL) **ESTATE AND TRUST TRANSACTIONS:**

- To act for me in all matters that affect a trust, probate, estate, conservatorship, escrow, custodianship, or other fund from which I am now, claim to be or later become entitled, as a beneficiary, to a share or payment.
- Pursuant to Internal Revenue Code Section 2518 and applicable state law, and petitions, objections, waivers, consents, receipts, settlements, and other agreements relating to the above-referenced matters or proceedings.
- Transfer any of my property to a "Living Trust" that I created as a grantor before this "Power of Attorney" was signed.
- Exercise all powers with respect to estate and trust transactions that I could if present and under no financial incapacity.

(PL) **LEGAL ACTIONS:**

To act for me in all legal matters, whether claims in my favor or against me, including but not limited to the authority to retain and discharge attorneys on my behalf; appearing for me in all

actions and proceedings, commencing actions in my name, signing all documents, submitting claims to arbitration or mediation, settling claims and exercise all powers with respect to legal actions and I could if present and under no financial incapacity.

(DW)

#### PERSONAL AND FAMILY CARE:

To do all acts necessary to maintain the customary standard of living. My attorney-in-fact is specifically authorized to hire and compensate household, nursing, and other employees necessary for my well-being. To enter into contracts and commit my resources with respect to the provision of my residential care in a convalescent hospital, skilled nursing home, or alternative residential facility.

(DW)

#### GOVERNMENT BENEFITS:

Claim and collect benefits from the Social Security Admin, including but not limited to, supplemental social security, Medicare, Medicaid, Widowed Veterans, state, or local and other government programs and to exercise all powers with respect to government assistance and I could if present and under no financial incapacity.

(DW)

#### GIFTS:

Make gifts from my assets, including debt forgiveness to my family as deemed acceptable by my attorney-in-fact.

(DW)

#### PETS:

As outlined in my Pet Protection ...copy attached. All pets are covered and given to family member(s).

(DW)

#### OTHERS:

There is a Directive for Health Care at Sky Lakes Medical Center giving Edis Worden power, if she is unable, Dan Wright have powers.

My Attorney-in-Fact is empowered to all further action, including the payment of expenditures and the preparation and execution of all documents, as the attorney-in-fact deems necessary or appropriate in order to fully effectuate the purposes of the foregoing matters.

#### **IV. GENERAL PROVISIONS**

1. Reliance by Third Parties. I hereby agree that any third party receiving a duly executed copy of this document may rely on and act under it. Revocation or termination of this Durable Power of Attorney shall be ineffective as to third party unless and until actual notice of knowledge of the revocation or termination has been received by the third party. I, for myself, hereby hold harmless any third party from any and all any claims because of good faith reliance on this instrument.
2. Severability. If any provision in this Durable Power of Attorney is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this document, and such other provisions will be given effect without the invalid or unenforceable provision.
3. Revocation. I may revoke this Durable Power of Attorney at any time.
4. Revocation of Prior Durable Power of Attorney. I revoke all Durable Power of Attorney naming me as principal executed prior to this document, specifically excluding any health care powers of attorney and advance health care directives.
5. Maintenance of Records; Accounting. My attorney-in-fact shall provide for all funds handled and all acts performed as my attorney-in-fact. Any requirement of my attorney-in-fact to file inventories and accounts with the county clerk or with the court is specifically waived.
6. Compensation and Reimbursement. My attorney-in-fact is entitled to reasonable compensation for services provided on my behalf pursuant to this Durable Power of Attorney. My attorney-in-fact will be

reimbursed for all reasonable expenses incurred relating to her/his responsibilities under this Durable Power of Attorney.

7. This Durable Power of Attorney will be filed with the Klamath County Clerk Office when they reopen after the closure from Coronavirus 19 pandemic...March 11, 2020 ---- .

**IN WITNESS WHEREOF,** The undersigned has executed this Durable Power of Attorney on the date set forth below.

Date: April 16, 2020

Diana Louise Wright

Signature of Diana Louise Wright



ACKNOWLEDGMENT  
OF NOTARY PUBLIC

State of Oregon

County of Klamath

On this 16 day of April, 2020 before me, the undersigned Notary Public, personally appeared Diana Louise Wright, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual who signed the foregoing power of attorney and acknowledged to me that he or she executed the same in his or her authorized capacity, and that by such signature, the person executed the instrument.

Witness my hand and seal.

Signature of Notary Public: Kristina S Windom

