

2021-016868

Klamath County, Oregon



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DURABLE POWER OF ATTORNEY WITH DISABILITY PLANNING

KNOW ALL MEN BY THESE PRESENT, that I, CAROLYN BENSON, do hereby make, constitute and appoint, my son, DARRELL E. ROFF, JR. as 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 or 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 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, 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 seem proper and to 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 on 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 instruments, including any payments to be drawn on the Treasury of the United States or the State of Oregon or any other state 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 the name of myself and 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 entitlements for my benefit from Social Security and Medicare.

15. To make investments and changes of investments 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 the transfer thereof may be effected by delivery.

16. To withdraw any monies deposited with any bank, mutual savings bank, credit union, savings and loan association, in my name or in the name of myself and any other person or persons and generally to do 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. To sign tax returns on my behalf, and to represent me, or obtain representation for me, at any proceeding involving taxing authority at pleasure to revoke.

19. To act on my behalf in dealing with my pension and retirement plans, including the power to make IRA contributions, IRA roll overs, voluntary contributions, borrow from any retirement plan, elect or select pay out options, and take any other steps which I might take on my own behalf or other steps which I might take on my own behalf with regard to my retirement and/or IRA/pension plans.

20. To exercise or perform any act, power, duty, right or obligation, in regard to any contract of life, accident, health, disability, liability or any 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 the same; provided that my agent cannot designate herself or himself as beneficiary of any such insurance contracts.

21. 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 check to liquidate the assets and distribute them to the benefit of only one of the joint owners.

22. To redirect my mail.

23. To cancel or continue my credit cards and/or any credit or charge accounts.

24. In the event it becomes necessary to appoint a guardian, limited guardian, or conservator of my person or estate, I request that my attorney-in-fact be appointed.

25. To take custody of my Will, deeds, life insurance policies, contracts, securities, or other important papers.

26. To reform any estate planning documents, other than Wills, if they prove to be defective after incompetency.

27. 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.

28. I authorize my attorney in fact to discuss my medical needs with any and all health care providers and their staff, to make any and all health care decisions regarding my care and treatment recommended, and further my attorney in fact shall be authorized to speak on my behalf with any and all insurance providers and Medicare staff.

29. To make gifts outright or in trust to or for the benefit of the natural objects of my bounty and charitable organizations, in such amounts, at such times, and upon such terms as my attorney-in-fact deems appropriate, provided that my attorney-in-fact may make only such gifts as are consistent with my income and wealth and as I might have been expected to make.

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 situated 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 shall rely upon 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.

This Power of Attorney shall become effective immediately.

