

DURABLE POWER OF ATTORNEY

HARRIET R. SMITH, a resident of the State of Washington, as authorized by RCW 11.94, hereby names her spouse, ELLIS B. SMITH, as attorney-in-fact with the intention that this designation of durable power of attorney shall remain in force and not be limited by any future disability or incompetence of the principal. In the event that ELLIS B. SMITH is unable or unwilling to serve as attorney-in-fact for the principal, the principal hereby designates her son, RON HALVORSON, currently of Crestwell, Oregon, to serve as attorney-in-fact for the principal with like powers.

1. POWERS.

(a) General Powers. The attorney-in-fact shall act as a fiduciary for the principal. The attorney-in-fact shall have all powers over the principal's estate that the principal has or acquires, both within and without the State of Washington, except for those powers specifically excluded in paragraph 1(c) of this document. In the event of the principal's disability or incompetence the attorney-in-fact shall have equal powers over the principal's person as well.

(b) Specific Powers. The attorney-in-fact shall have all powers as are necessary or desirable to provide for the support, maintenance, health, emergencies, and urgent necessities of the principal. The specific powers of the attorney-in-fact shall include, but not be limited to, the following:

(1) To have the sole and exclusive authority to determine medical treatment for the principal, if the principal shall be physically or mentally incapacitated or otherwise unable to make such authorization for herself, including authorization for emergency care, hospitalization, surgery,

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1 therapy and/or any other kind of treatment which the  
 2 attorney-in-fact shall, in his sole discretion, think  
 3 necessary.

4 (2) To be given first priority, along with the other members  
 5 of the principal's family, in visitation should the  
 6 principal be a patient in any institution and unable to  
 7 express a preference on account of her illness or  
 8 disability.

9 (3) To have the authority pursuant to RCW 11.94.050(2) to  
 10 effectuate the transfer of resources from the principal to  
 11 her spouse for the purpose of qualifying the principal  
 12 for medical assistance or limited casualty program for the  
 13 medically needy.

14 (4) To have the authority to revoke any Community Property  
 15 Agreement between the principal and her spouse and to  
 16 make any necessary gifts for the purpose of qualifying the  
 17 principal for medical assistance or limited casualty program  
 18 for the medically needy.

19 (5) To buy, receive, lease, borrow, accept, or other-  
 20 wise acquire; to sell, convey, lend, release, waive,  
 21 mortgage, quit claim, or otherwise encumber or dispose  
 22 of; to revoke, create, or modify any trust of;  
 23 or to contract or agree for the acquisition, disposal,  
 24 or encumbrance of, any property whatsoever or any  
 25 custody, possession, interest, or right therein, upon  
 such terms as my said attorney shall think proper.

(6) To make, endorse, accept, receive, sign, seal,  
 execute, acknowledge and deliver deeds, mortgages,  
 leases, assignments, agreements, certificates,  
 obligations, checks, notes, bonds, vouchers, receipts,  
 notices, claims, proofs, proxies, stock powers, bond  
 or stock certificates and such other written  
 instruments of whatever kind and nature as may be  
 necessary, convenient, or proper in the premises.

(7) To deposit, withdraw or transfer any money or  
 credits in any banking or building, savings, loan or  
 credit union institution or any other depository, or  
 investment or execute and renew any checks, withdrawals,  
 deposits, promissory notes, bonds, bills or exchange or  
 evidences of indebtedness and to waive notice of demand  
 and other protest and to transact and perform any and  
 all other banking or financial business and affairs of  
 any kind whatsoever, as fully and completely as I may  
 do if present.

(c) Exclusions. The attorney-in-fact shall not have the  
 power to revoke or change any estate planning or testamentary  
 documents previously executed by the principal, except as

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provided herein.

2. EFFECTIVE DATE. This power of attorney shall become effective upon execution of this document and receipt by the attorney-in-fact of either the signed original, or a certified copy of the signed original. This Durable Power of Attorney shall not be affected by the disability or incompetence of the principal.

3. DURATION. This Durable Power of Attorney becomes effective as provided in paragraph 2, and shall remain in effect until revoked or terminated under the terms of paragraph 4.

4. REVOCATION AND TERMINATION.

(a) Revocation. This power of attorney may be revoked, suspended or terminated in writing by the principal with written notice to the designated attorney-in-fact and by recording the written instrument of revocation in the office of the recorder or auditor of the principal's residence.

(b) Termination by Death of the Principal. The death of the principal shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the attorney-in-fact.

(c) Nomination of Guardian. If guardianship or protective proceedings are commenced in the appropriate court for the appointment of a guardian or limited guardian of the principal's estate or person, the principal hereby nominates the attorney-in-fact as the appropriate person to be appointed as guardian or limited guardian if the guardianship is deemed necessary by the court. Pursuant to RCW 11.94.010, the court shall appoint the attorney-in-fact as the principal's guardian or limited guardian

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1 if this nomination is the principal's most recent nomination made  
 2 in a Durable Power of Attorney. The court shall not appoint the  
 3 attorney-in-fact as the principal's guardian or limited guardian  
 4 only if good cause is shown or if the attorney-in-fact is deemed  
 5 disqualified.

6 (d) Termination by Appointment of Guardian. This power of  
 7 attorney may be terminated, revoked, or suspended by any person  
 8 who is appointed by the Superior Court to be guardian of the  
 9 estate of the principal; however, court appointment of a guardian  
 10 of the person of the principal shall not affect this power of  
 11 attorney.

12 5. RIGHTS AND DUTIES OF THE ATTORNEY-IN-FACT.

13 (a) Reliance. The attorney-in-fact and all persons dealing  
 14 with the attorney-in-fact shall be entitled to rely upon this  
 15 power of attorney so long as it is effective, and has not been  
 16 revoked, suspended, or terminated. Any action taken in reliance  
 17 on this document unless otherwise invalid or unenforceable shall  
 18 be binding on the heirs, devisees, legatees, or personal  
 19 representatives of the principal.

20 (b) Indemnity. The estate of the principal shall hold  
 21 harmless and indemnify the attorney-in-fact from all liability  
 22 for acts done in good faith and not done in fraud of the  
 23 principal.

24 (c) Accounting. The attorney-in-fact shall be required to  
 25 account to any subsequently appointed personal representative.

26 Dated this 30<sup>th</sup> day of April, 1991.

27 Harriet R. Smith  
 28 HARRIET R. SMITH, Principal

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STATE OF WASHINGTON )

County of Klickitat )

This is to certify that on the 30<sup>th</sup> day of April, 1991, before me, the undersigned Notary Public, personally appeared HARRIET R. SMITH, to me known to be the individual described herein and who executed the foregoing Durable Power of Attorney, and acknowledged to me that she signed and sealed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

*Harriet R. Smith*  
Notary Public for Washington  
residing at White Salmon, Oregon.  
Commission expires: April 23, 1992.

FILED  
SK  
BY Harriet Smith  
MAY 7 11 16 AM '91  
P. Harvey  
GARY

Registered	
Indexed	
Filed	
Noted	5/10/91
Noted	

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