

111920

BOOK 124 PAGE 744

FILED FOR RECORD  
STATE OF WASH  
BY *Hallen C. Jessen et ux*

AUG 23 10 35 AM '91

*P. Lowry*

GARY M. JESSEN

MUTUAL DURABLE POWER OF ATTORNEY  
of

HALLEN C. JESSEN and FLORENCE W. JESSEN

## I. DESIGNATION

The undersigned principals, husband and wife, residing and domiciled in the State of Washington, each hereby individually designate the other spouse, if living, willing and able to serve, as their Attorney-in-Fact for the disabled or incompetent spouse in the manner hereafter defined, pursuant to RCW 11.94. In the event that the other spouse is unable or unwilling so to act, then KAREN M. ROEWE, of Chehalis, WA is designated to act as the alternate Attorney-in-Fact for the Principal, provided said appointment is accepted.

## II. EFFECTIVENESS

This power of attorney shall become effective upon the disability of the principal, as determined by a court of competent jurisdiction, or receipt of a written statement of determination of disability of the spouse which shall include the inability to effectively manage his or her property and affairs for reasons such as mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, confinement, detention or disappearance. Such written statement shall be made by the then regularly attending physician of the spouse, or any other persons with knowledge of any confinement, detention or disappearance.

## III. TERMINATION

Notwithstanding any uncertainty as to whether the principal is alive or dead, this power of attorney shall continue in effect, to the extent permitted by law, until revoked or terminated. Either or both spouses, while competent, may revoke this power of attorney by written notice to the other, if living, otherwise, to the above-designated alternate Attorney-in-Fact, and by recording the instrument of revocation at the office of the Auditor of Lewis County, Washington.

Registered	
Indexed, Dir	<i>6</i>
Indirect	
Filed	<i>8/30/91</i>
Mailed	

The filing of an action to obtain a divorce, dissolution of marriage or legal separation, shall effect an automatic revocation of this power of attorney to each spouse by the other. This power of attorney shall be terminated as to the deceased spouse upon receipt of written notice or actual knowledge by the designated Attorney-in-Fact of the death of the principal, and further may be terminated by the guardian of the estate of the principal following court approval of such termination.

#### IV. POWERS

The Attorney-in-Fact, as fiduciary, shall have all powers of absolute ownership of all assets and liabilities of the principal of every kind and character, whether located within or without the State of Washington, including, but not limited to, the power to convey or encumber any real property owned by the principal, and all powers granted to the trustee by the Washington Trust Act, and any amendments thereto, which Act, and its amendments, are incorporated herein by this reference. The Attorney-in-Fact shall not have the power to make, amend, alter or revoke any estate planning or testamentary documents previously executed by the principal, or to make any gifts of property owned by the principal.

#### V. RELIANCE

So long as neither the Attorney-in-Fact, nor any person with whom the Attorney-in-Fact was dealing at the time of any act taken pursuant to this power of attorney, had received actual knowledge or written knowledge of the revocation or the termination of the power of attorney by death or otherwise, the Attorney-in-Fact, and such persons dealing with the Attorney-in-fact, shall be entitled to rely upon this power of attorney. Any actions so taken shall be binding upon the principal, heirs, legatees, devisees, guardians and personal representatives of the principal.

#### VI. INDEMNITY

The estate of the principal shall hold harmless and indemnify the Attorney-in-Fact from any and all liability for acts done in good faith.

## VII. COMPENSATION

The Attorney-in-Fact shall be reimbursed for all costs and expenses reasonably incurred and shall receive at least annually, without court approval, such reasonable compensation for services performed as Attorneys-in-Fact as are customarily charged by trust departments of banks in the community for like services performed as Attorney-in-Fact or as guardian of the estate.

## VIII. APPLICABLE LAW

The laws of the State of Washington shall govern this power of attorney.

DATED this 23<sup>rd</sup> day of August, 1991.

Hallen C. Jessen  
Hallen C. Jessen

Florence W. Jessen  
Florence W. Jessen

STATE OF WASHINGTON )  
COUNTY OF Skamania ss  
~~Lewis~~ )

Each of the undersigned, being duly sworn on oath, states that on this 23rd day of August, 1991:

1. Witnesses. I am over eighteen years of age and competent to be a witness to the Mutual Durable Power of Attorney of the Principals named above, each of whom are personally known to me.

2. Principals' Action. The Principals, in my presence, and in the presence of the other witness whose signature appears with mine below, signed the foregoing instrument, and requested that I and the other witness act as witnesses to their Mutual Durable Power of Attorney, and to make this affidavit.

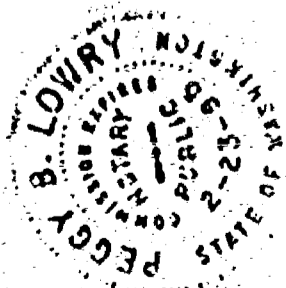
3. Principals' Competency. I believe that at the time of the execution of this document by the Principals, each of the Principals was of sound mind and neither was acting under any duress, fraud, menace, undue influence or misrepresentation.

4. Witnesses' Action. The other witness and I, in the presence of the Principals and of each other, now affix our signatures as witnesses to this Mutual Durable Power of Attorney of the Principals, and make this affidavit.

Connee B. Mayford  
Residing at Stenerson, Wa.

Virginia C. Palmer  
Residing at Stenerson, Wa.

SUBSCRIBED AND SWORN to before me this 23rd day of August, 1991.



Peggy B. Lowry  
Notary Public in and for the State  
of Washington, residing at Chattanooga, Tenn.  
My commission expires 2/23/95