

123837

BOOK 153 PAGE 707

**DURABLE POWER OF ATTORNEY**

1. **Revocation of Prior Powers.** The undersigned principals, ALDON WACHTER and IRIS WACHTER, hereby revoke any and all prior Powers of Attorney executed by them, whether immediate or contingent.

2. **Designation.** We, ALDON WACHTER and IRIS WACHTER, are husband and wife, and reside and are domiciled in Stevenson, Skamania County, Washington. We each hereby individually designate the other spouse, if living, willing and able to serve, as attorney-in-fact for the disabled or incompetent spouse in the manner hereinafter defined pursuant to RCW 11.94.

3. **Effectiveness.** This power of attorney shall become effective upon receipt by the attorney-in-fact of written evidence of the incompetency of the principal, as determined by a court of competent jurisdiction; or receipt of a written statement of determination of the 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, certified to by the family physician.

4. **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, and by recording the instrument of revocation at the office of the auditor of Skamania County, Washington. Divorce, dissolution of marriage or legal separation, shall effect 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 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.

4. **Guardian.** The undersigned principals nominate and appoint their herein designated attorney-in-fact as guardian or limited guardian of his or her estate or person if protective proceedings for the principal's person or estate are hereafter commenced.

5. **Powers.**

5.1 **Property.** 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, to sell or transfer the stocks, bonds and other securities owned by the principal, and all powers granted to Trustees by the Washington Trust Act of 1959 and any amendments thereto. The attorney-in-fact may make any transfer of resources not prohibited under Chapter 74.09 RCW, as amended, when the transfer is for the purpose of qualifying

ALDON WACHTER and IRIS WACHTER  
Reciprocal Durable Power of Attorney  
Page 1 of 3 Pages

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY Robert Leick

Nov 17 4 42 PM '95

P. Lowrey  
AUDITOR  
GARY M. OLSON

Registered ☒  
Indexed, Dir ☒  
Endirect ☒  
Signed ☒  
Noted ☒

the principal for medical assistance or the limited casualty program for the medically needy and the attorney-in-fact may revoke any Community Property Agreement when the purpose is to allow the attorney-in-fact to make transfer as aforesaid. 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.

5.2. **Health Care.** The attorney-in-fact shall have all powers as are necessary or desirable to provide for the support, maintenance, health, emergencies and necessities of the principal and shall specifically have the authority to make health care decisions for the principal, including, but not limited to, such authority as is permitted by applicable law to consent to medical treatment, to request, receive and review, verbal or written, any medical, hospital and mental health records regarding the principal, to execute releases, to employ and discharge health care providers, and to give or withhold consent to any medical procedure, test or treatment, including surgery for and on behalf of the principal.

6. **Disclaimer.** The attorney-in-fact shall have the authority to disclaim any interest, as defined in RCW 11.86.010, in any property to which the principal would otherwise succeed.


7. **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 has received actual knowledge or written notice of revocation or 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 action so taken shall be binding on the principal, heirs, legatees, devisees, guardians and personal representatives of the principal.

8. **Indemnity.** The principal and 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.

9. **Applicable Law.** The laws of the State of Washington shall govern this power of attorney.

Executed at Stevenson, Washington, this 16<sup>th</sup> day of November, 1995.

  
ALDON WACHTER

  
IRIS WACHTER



STATE OF WASHINGTON)

County of Skamania )

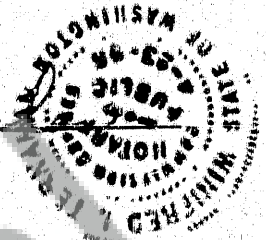
ss

I certify that I know or have satisfactory evidence that ALDON WACHTER and IRIS WACHTER, husband and wife, signed this Durable Power of Attorney and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Given under my hand and official seal this 16<sup>th</sup> day of November, 1995.

*Richard L. Lerner*

Notary Public for Washington  
Residing at White Salmon, therein.  
Commission expires: 04-23-96.



ALDON WACHTER and IRIS WACHTER  
Reciprocal Durable Power of Attorney  
Page 3 of 3 Pages