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BOOK 169 PAGE 299  
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*G. M. OLSON*  
AUDITOR  
GARY M. OLSON

**AFTER RECORDING MAIL TO:**

Name Charles Seward

Address PO Box 1534

City/State White Salmon, WA 98672

522 21033

**Document Title(s):** (or transactions contained therein)

1. Power of Attorney
- 2.
- 3.
- 4.

**Reference Number(s) of Documents** signed or released:

☐ Additional numbers on page \_\_\_\_\_ of document

**Grantor(s):** (Last name first, then first name and initials)

1. SEWARD, VICKY L.
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

**Grantee(s):** (Last name first, then first name and initials)

1. SEWARD, CHARLES W.
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

**Abbreviated Legal Description as follows:** (i.e. lot/block/plat or section/township/range/quarter/quarter)

☐ Complete legal description is on page \_\_\_\_\_ of document

**Assessor's Property Tax Parcel / Account Number(s):**



*[Handwritten signatures and initials]*  
Indirect  
Filmed

**NOTE:** The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

DURABLE POWER OF ATTORNEY

Vicky Linda Seward, the undersigned individual, domiciled and residing in the State of Washington, designates the following named person as Attorney in fact to act for the undersigned as the principal who may hereafter become disabled or incompetent.

1. Designation. Charles W. Seward is designated as Attorney in Fact for the principal. If Charles W. Seward is unwilling or unable to act as Attorney in Fact for the principal, then \_\_\_\_\_ is designated as alternate Attorney in Fact.

2. POWERS.

(a) General Powers. The Attorney in Fact, as fiduciary, shall have all powers of an absolute owner over the assets and liabilities of the principal, whether located within or without the State of Washington. Without limiting the powers herein, the Attorney in Fact shall have full power, right and authority to sell, lease, rent, exchange, mortgage and otherwise deal in and with any and all property, real or personal, belonging to the principal the same as if he or she were the absolute owner thereof. In addition, the Attorney in Fact shall have specific powers including, but not limited to the following:

(i) Real Property. The attorney-in-fact shall have authority to purchase, take possession of, lease, sell, convey, exchange release and encumber real property or any interest in real property.

(ii) Personal Property. The attorney-in-fact shall have authority to purchase, receive, take possession of, lease, sell, assign, endorse, exchange, release, mortgage and pledge personal property or any interest in personal property.

(iii) Claims Against Principal. The attorney-in-fact shall have authority to pay, settle, compromise or otherwise discharge any and all claims of liability or indebtedness against the Principal and, in so doing, use any of the assets of the attorney-in-fact and obtain reimbursement out of the Principal's funds or other assets.

(iv) Financial Accounts. The attorney-in-fact shall have the authority to deal with accounts maintained by or on behalf of the Principal with institutions (including, without limitation, banks, savings and loan associations, credit unions and securities dealers). This shall include the authority to maintain and close existing accounts, to open, maintain and close other accounts and to make deposits and withdrawals with respect to all such accounts.

(v) Community Property Agreements. The attorney-in-fact shall have the authority to make, amend, alter or revoke any community property agreement, agreement as to status of property, or other document of similar import entered into by the principal and the principal's spouse.

(vi) Beneficiary Designations. The attorney-in-fact shall have authority to make, amend, alter or revoke any of the principal's life insurance beneficiary designations and retirement plan beneficiary designations so long as in the sole discretion of the attorney-in-fact such action would be in the best interests of the principal and those interested in the principal's estate.

(vii) Transfers to Trust. The attorney-in-fact shall have the authority to make transfers of the principal's property, both real and personal, to any trust created by the principal of which the principal is the primary beneficiary during the principal's lifetime.

(viii) Legal Proceedings. The attorney-in-fact shall have authority to participate in any legal action in the name of the Principal or otherwise. This shall include (a) actions for attachment, execution, eviction, foreclosure, indemnity and any other proceeding for equitable or injunctive relief; and (2) legal proceedings in connection with the authority granted in this instrument.

(ix) 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, by will, community property agreement or otherwise and to decline to act or resign if appointed or serving as an officer, director, executor trustee or other fiduciary.

(b) Gifting Power. The Attorney in Fact shall have the power to make any gifts, whether outright or in trust, during the principal's lifetime which are consistent with the most current Will executed by or on behalf of the principal or testamentary provisions of the most current inter vivos trust executed by or on behalf of the principal.

(c) Health Care Decisions.

(i) General Statement of Authority Granted. The Attorney in Fact shall have full power and authority to make health care decisions for the principal to the same extent that the principal could make such decisions for the principal if the principal had the capacity to do so. In exercising this authority, the Attorney in Fact shall make health care decisions that are consistent with the principal's desires as stated in this document or otherwise made known to the Attorney in Fact, including, but not limited to, the principal's desires concerning obtaining or refusing or withdrawing life-prolonging care, treatment, services, and procedures. "Health care decisions" shall include consent, refusal of consent, or withdrawal of consent to any care, treatment, service, or procedure to maintain, diagnose, or treat the principal's physical condition.

(ii) Inspection and Disclosure of Information Relating to the Principal's Physical or Mental Health.

The Attorney in Fact has the power and authority to do all of the following:

(A) Request, review, and receive any information, verbal or written, regarding the principal's physical or mental health, including, but not limited to, medical and hospital records.

(B) Execute, on the principal's behalf, any releases or other documents that may be required in order to obtain the above information.

(C) Consent to the disclosure of the above information.

(D) Consent to the donation of any of the principal's organs for medical purposes.



(iii) Signing Documents; Waivers, and Releases. Where necessary to implement the health care decisions that the Attorney in Fact is authorized by this document to make, the Attorney in Fact has the power and authority to exercise and execute, on the principal's behalf, all of the following:

(A) Documents titled or purporting to be a "Refusal to Permit Treatment" and "Leaving Hospital Against Medical Advice."

(B) Any necessary waiver or release from liability required by a hospital or physician.

(iv) Prior Designations Revoked. This durable power of attorney revokes any prior durable power of attorney for health care.

3. Intent to Obviate Need for Guardianship. It is the principal's intent that the power given to the attorney-in-fact designated herein be interpreted to be as broad as to obviate the need for the appointment of a guardian for the person or estate of the principal. If the appointment of a guardian or limited guardian of the person or estate of the principal is sought, however, the principal nominates the then acting attorney-in-fact designated above, if any, as the principal's guardian or limited guardian, or if no one is then acting as attorney-in-fact, the principal nominates the persons designated above as attorney-in-fact and successor attorneys-in-fact as guardian or limited guardian, in the same order of priority.

4. Effectiveness. This Power of Attorney shall become effective upon the disability or incompetency of the principal. Disability shall include the inability of the principal to manage his property and affairs effectively for reasons such as mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, confinement, detention by a foreign power or disappearance. Disability may be evidenced by a written statement of a qualified physician regularly attending the principal and/or by other qualified persons with knowledge of any confinement, detention or disappearance. Incompetence may be established by a finding of a Court having jurisdiction over the incompetent principal.

5. Duration. This Power of Attorney becomes effective as provided in Section 4 and shall remain in effect to the extent permitted by the laws of the State of Washington or until revoked

or terminated under Sections 5 or 6, notwithstanding any uncertainty as to whether the principal is dead or alive.

**5. 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 if the same has been recorded, then by recording the written instrument of revocation with the Auditor of the county where the Power of Attorney is recorded.

**7. Termination.**

(a) **By Appointment of Guardian.** The appointment of a guardian of the estate of the principal vests in the guardian, with court approval, the power to revoke, suspend or terminate this Power of Attorney as to the powers enumerated in subsections (a) and (b) of Section 2 herein. The appointment of a guardian of the person empowers the guardian to revoke, suspend or terminate, with court approval, those powers concerning health care decisions as enumerated in subsection (c) of Section 2 herein.

(b) **By Death of 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.

**6. Accounting.** The Attorney in Fact shall be required to account to any subsequently appointed personal representative.

**9. Reliance.** The designated and acting Attorney in Fact and all persons dealing with the Attorney in Fact shall be entitled to rely upon this Power of Attorney so long as neither the Attorney in Fact nor any person with whom he or she was dealing at the time of any act taken pursuant to this Power of Attorney had received actual knowledge or actual notice of any revocation, suspension or termination of the Power of Attorney by death or otherwise. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees or personal representatives of the principal. In addition, third parties shall be entitled to rely upon a photocopy of the signed original hereof, as opposed to a certified copy of the same.

**10. Indemnity.** The estate of the principal shall hold harmless and indemnify the Attorney in Fact from all liability for acts done in good faith and not in fraud of the principal.

11. Applicable Law. The laws of the State of Washington shall govern this Power of Attorney.

12. Execution. This Power of Attorney is signed on the 6th day of August, 1997, to become effective as provided in Section 4.

STATE OF WASHINGTON )  
: ss  
County of Skamania

Linda Seward  
Linda Seward

I certify that I know or have satisfactory evidence that Linda Seward is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 6, 1997

PATRICIA M. HEATHERLY  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION EXPIRES  
SEPTEMBER 1, 1999

Patricia M. Heatherly  
Notary Public in and for the State  
of Washington, residing at Bingen  
My Commission Expires: 9-1-99