

140564

BOOK 207 PAGE 599



3298114

Page: 1 of 5
03/13/2001 10:28A
12:39 Clark County, WARECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

JOAN M. BALHOLM
1013 N.W. 95th ST.
SEASIDE, WA 98665

FILED FOR RECORD
SKAMANIA CO. WASH
BY SEASIDE CO. TITLE

Mar 14 11 35 AM '01

AMOSER
AUDITOR
MARY M. OLSON

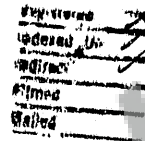
SPOUSES' DURABLE POWER OF ATTORNEY

Grantor: RICHARD W. BALHOLM; JOAN M. BALHOLM

Grantee: RICHARD W. BALHOLM; JOAN M. BALHOLM;
TERESA M. JONES; ERIC P. BALHOLM;
NEIL R. BALHOLM

Abbreviated Legal: N/A
Assessor's Tax Parcel #: N/A
Other Reference Nos: N/A

SER 23839



The undersigned spouses, each as principals, domiciled and residing in Clark County, Washington, reciprocally and individually hereby revoke any and all previously executed powers of attorney which are inconsistent with this power of attorney and designate the following named person or persons in the alternative as attorney in fact to act for either spouse.

1. **Designation.** The principal's spouse, if living, able and willing to act, is designated as attorney in fact. If for any reason the principal's spouse is unable or unwilling to act as attorney in fact, TERESA M. JONES and ERIC P. BALHOLM are designated as alternate co-attorneys in fact, to act together on behalf of the principal. If for any reason either TERESA M. JONES or ERIC P. BALHOLM is unable or unwilling to act as alternate co-attorney in fact, NEIL R. BALHOLM is designated as second alternate co-attorney in fact. All references herein to "attorney in fact" shall also refer to the co-attorneys in fact.

2. **Powers.**

- a) **General.** 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. This shall include the power to:

SPOUSES' DURABLE POWER OF ATTORNEY

Page 1
(10300)

PABST & HOLLAND, PLLC
ATTORNEYS AT LAW
900 Washington Street, Suite 210
Vancouver, Washington 98660
(360) 693-1010 • (800) 222-0201



3298114

Page: 2 of 3

03/13/2001 10:28A

JOHN BALHOLM

POA

12.00 Clark County, WA

- i) represent the principal in all Federal or state tax matters, including the signing and filing of all tax returns on behalf of the principal;
 - ii) transfer assets to or withdraw assets from the BALHOLM LIVING TRUST dated November 30, 1998 and
 - iii) lease, let, grant, bargain, sell, contract to sell, convey, exchange, encumber, release, subdivide, develop and dispose of any real or personal property of which the principal is now or hereafter may be possessed or in which the principal may have any right, title or interest, including rights of homestead, for any price or sum and upon such terms and conditions as to the attorney in fact may deem proper.
- b) **Securities.** As assurance to transfer agents, and not by way of limitation, this power includes the power to purchase or sell any stocks, bonds (including government bonds), shares of mutual funds, or other securities or any interest therein and in that regard to endorse any stock certificates, stock powers, affidavits of domicile or other documents necessary to effect the transfer of such property or interest, to take possession of any stock certificate, bond or other security or register same in the name of any stock broker, stock brokerage account, or mutual fund account.
- c) **Health Care Decisions.** The attorney in fact shall have all powers to make medical and health care decisions on behalf of the principal, including the power to withhold or withdraw treatment, grant informed consent or refuse treatment pursuant to RCW 7.70.065, and exercise any and all other powers necessary or appropriate to provide for health care and treatment of the principal. Both spouses have also executed a Directive under the Natural Death Act of the State of Washington. This Power of Attorney shall include the power to approve and direct the withholding of life sustaining procedures including, but not limited to, utilizing mechanical or other artificial means such as cardiopulmonary resuscitation, defibrillation, the use of a respirator, intubation, the insertion of a naso-gastric tube, and intravenous nutrition and hydration. Pursuant to RCW 11.94.010 and RCW 11.92.043, the attorney in fact may not, without Court approval, on behalf of the principal, consent to therapy or other procedures which induce convulsion; surgery solely for the purpose of psychosurgery; amputation; other psychiatric or mental health procedures which are intrusive on the person's body integrity or physical freedom of movement. It is the intent of both spouses that this Power of Attorney and the Directive be interpreted to grant the broadest scope of power to make health care decisions and refuse treatment permitted under the laws of the State of Washington. In the event either of the spouses is in a permanent coma or a persistent vegetative state, it is his or her desire that artificial feeding be refused and further medical treatment be limited to the measures necessary and appropriate to achieve comfort and permit a natural death.

SPOUSES' DURABLE POWER OF ATTORNEY

Page 2
(10300)

PASST & HOLLAND, PLLC
ATTORNEYS AT LAW
900 Washington Street, Suite 810
Vancouver, Washington 98660
(360) 693-1910 • (203) 222-9201



JOHN BALADIN

FOR

12.00 Clark County, WA

- d) **Gifting and Disclaimer.** The attorney in fact shall have power to establish or continue an annual exclusion gifting program to descendants, outright or in trust, which is in the best interests of the family to minimize estate taxes and is consistent with the overall estate plan. This shall also include the power to execute, in the manner provided in RCW 11.86.021 as now enacted or hereafter amended, a disclaimer on behalf of the principal of any interest, in whole or in part, or with reference to specific parts, shares or assets, to which the principal may become entitled.
3. **Purposes.** The attorney in fact shall have full powers as described herein for any and all purposes on behalf of the principal, including, but not limited to, the support, maintenance, health, emergencies, welfare, comfort, investments or necessities of the principal.
4. **Effectiveness.** THIS POWER OF ATTORNEY SHALL BECOME EFFECTIVE UPON THE DISABILITY OR INCAPACITY OF A SPOUSE AND SHALL REMAIN EFFECTIVE ONLY DURING SUCH DISABILITY OR INCAPACITY. Disability shall include the inability to manage property and affairs effectively for reasons such as (but not limited to) mental illness, mental deficiency, developmental disability, mental retardation, physical illness or disability, advanced age, chronic or excessive use of drugs, chronic intoxication, confinement by governmental authority, detention by a foreign power or disappearance. Unless a committee consisting of two (2) physicians, each of whom has completed a full examination, unanimously determines otherwise and evidences its determination in its signed written certificate delivered to the principal's attorney in fact, the principal shall be deemed to have full capacity and not to be disabled or incapacitated. In the case of confinement, detention or disappearance, disability may be evidenced by a written statement of qualified persons with knowledge of any such disability. Whenever the principal is considered disabled under this paragraph, upon written request of the principal or request of any committee member, the committee shall determine whether the principal is still disabled. If unanimously determined that the principal is no longer disabled, the principal shall be deemed to have full capacity upon delivery to the attorney in fact of the committee's signed written certificate to that effect. Incapacity may be established by a finding of a court having jurisdiction over the incapacitated spouse.
5. **Duration.** This durable power of attorney becomes effective as provided in paragraph 4 and shall remain in effect until revoked or terminated under paragraph 6 or 7, notwithstanding any uncertainty as to whether the principal is dead or alive.
6. **Revocation.** This power of attorney may be revoked, suspended or terminated in writing by either spouse with written notice to the other spouse and by recording the written instrument of revocation in Clark County, Washington.



3298114

Page: 4 of 5

03/13/2001 10:25A

12.00 Clark County, WA

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. The appointment of a guardian of the person only does not empower the guardian to revoke, suspend or terminate this power of attorney. In the event it becomes necessary to appoint a guardian of the principal's person or estate, it is the principal's desire that the above person or persons be appointed.
- 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.
8. Accounting. The attorney in fact shall be required to account to any successor attorney in fact or subsequently appointed personal representative.
9. Reliance. Any person dealing with the attorney in fact shall be entitled to rely upon this power of attorney as long as such person has received no 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.
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.

This power of attorney is signed this 30 day of November, 1998, to become effective as provided in paragraph 4.

Richard W. Balholm
RICHARD W. BALHOLM

Joan M. Balholm
JOAN M. BALHOLM



3298114

Page: 5 of 5

03/13/2001 10:28A

JOAN BALHOLM

FOR

12.00 Clark County, WA

STATE OF WASHINGTON)

County of Clark)

: ss.

I certify that RICHARD W. BALHOLM and JOAN M. BALHOLM appeared personally before me and that I know or have satisfactory evidence that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 30 day of November, 1998

NOTARY PUBLIC FOR WASHINGTON

My Commission Expires: 4-15-2000

PAT L. PABST
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
APRIL 15, 2000

I, GREGORY A. KIMSEY, Notary Public for Clark County, State of Washington, do hereby certify that the foregoing is a true and correct copy of a:

Durable Power of Attorney

Microfilm No. _____ File No. 3298114

of record in this office. WITNESS my hand and official seal this 13 day of November, 1998 A.D.

GREGORY A. KIMSEY, Notary Public, Clark County

By [Signature] Deputy

SPOUSES' DURABLE POWER OF ATTORNEY
Page 5
(10300)

PABST & HOLLAND, PLLC
ATTORNEYS AT LAW
500 Washington Street, Suite 810
Vancouver, Washington 98600
(360) 583-1910 • (509) 222-4201