

DURABLE POWER OF ATTORNEY

I, Beatrice J. Bates, a resident of Santa Cruz County, California, do hereby appoint you, Gloria Julianne James, as my agent (attorney in fact), to act for me and in my name, as authorized in this document. By this document I intend to create a Durable Power of Attorney (General) under California law.

THIS POWER OF ATTORNEY SHALL BECOME EFFECTIVE IMMEDIATELY AND SHALL REMAIN IN EFFECT DESPITE ANY SUBSEQUENT INCAPACITY OF THE PRINCIPAL.

A. Powers Regarding My Assets. By this document, I appoint an attorney in fact. You shall have the following powers with respect to my assets:

1. Invest, sell, purchase, lease, borrow, and encumber assets. To sell, lease, or invest assets in which I have an interest, to purchase assets or borrow money on my behalf and encumber any asset in which I have an interest as security for such borrowing.
2. Deal with real property. To exercise any and all powers with respect to all of my interests in real property (now owned or hereafter acquired), wherever situated, including but not limited to transferring real property and easements into my revocable living trust. This instrument shall specifically apply to any real property described on Exhibit A, attached.
3. Deal with personal property. To exercise any and all powers with respect to all interests in all kinds of personal property and other property (now owned or hereinafter acquired); to contract for, buy, sell, exchange, transfer, and in any legal manner deal in and with the same, and to mortgage, transfer in trust, or otherwise encumber the same.
4. Collect and recover assets. To demand, sue for, and collect all such sums of money, legacies, bequests, interest, dividends, and annuities that are now or may later become due or payable to me, including any benefits payable by any governmental body or agency, and to take all lawful means to recover such assets.
5. Deal with insurance. To insure my life or the life of anyone in whom I have an insurable interest, to insure any asset in which I have an interest from any casualty, liability or loss, to pay all insurance premiums, to select any options under such policies, to increase or decrease coverage under any such policy, to borrow against any such policy, to pursue all insurance claims on my behalf, to adjust insurance losses, to designate and change beneficiaries of insurance policies insuring my life and beneficiaries under any annuity contract in which I have an interest, to purchase or maintain any medical insurance on me, to exercise any administrative power regarding any medical insurance policy on me.
6. Deal with financial institutions. To establish, maintain, or terminate bank accounts, security accounts, certificates of deposit, money market accounts, mutual

COPY OF ORIGINAL DOCUMENT

Gloria J. James

 DEPUTY

funds, treasury bills and notes, and any other type of cash fund, cash equivalent or security in my sole name or jointly in my name with others, and to negotiate, endorse or transfer any checks or other instruments with respect to any such accounts, and to endorse, deposit, or collect any checks or drafts made payable to me or to my order.

7. Deal with trusts. To establish any trust revocable or irrevocable, with my assets for my benefit, to transfer any asset in which I have an interest to any such trust or to any trust that I may have created.

8. Represent me in all tax matters. To prepare, sign, and file tax returns of all kinds, and any and all other tax related documents; to pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies; to exercise any elections I may have under federal, state, or local tax law; and generally to represent me in all tax matters and proceedings of all kinds.

9. Employ others. To employ and remove any domestic help, custodian, attorney, accountant, investment counsel or any other professional advisor to assist you in administering my property and to pay them reasonable compensation.

10. Enter, establish, close, or maintain safe deposit boxes. To enter, establish, close, maintain and have access to any safe deposit box held in my name alone or jointly with another person whether or not the institution renting such box has its own form of power of attorney for such purposes and to remove all or any of the contents of such box.

11. Litigate. To prosecute, defend, compromise, or arbitrate any claims on my behalf in any local, state, or federal court or administrative body and to settle, appeal, or dismiss such actions.

12. Deal with retirement accounts. To take any and all actions in connection with any retirement account, deferred compensation account, SEP account, pension account, and any and all other savings, annuities, or assets that relate in any way to my retirement or to any deferred compensation situation.

13. Handle all government benefits. To take any and all actions on my behalf in connection with any government benefit for which I may be entitled, including but not limited to applying for benefits to which I may be entitled, establishing my eligibility for benefits, pursuing the application through all available appeals, maintaining my eligibility for benefits, receiving the benefits on my behalf, spending the benefits, and exercising any and all powers with respect to all of my interests in government benefits.

14. Provide for personal care, maintenance, medical needs, and related matters. To do all things and enter into all transactions necessary to provide for my personal care, to maintain my customary standard of living, to provide suitable living quarters for me, and to hire and compensate household, nursing and other employees as my attorney-in-fact considers advisable for my well being. The above shall specifically include but not

me limited to the authority to enter into contracts with hospitals, hospices, nursing homes, convalescent homes, and similar organizations.

15. Miscellaneous powers. To open, read, respond to, and redirect my mail; cancel any of my charge accounts and credit cards; cancel any of my club, religious institution, or other organization memberships; take custody of all my important documents; to enter into oral or written agreements on my behalf; to support and maintain any animals I may own; to execute, acknowledge, and deliver any document for the accomplishment of, or relating to, any acts authorized by this document; and to perform all, any and every act required to be done as fully as I could do if personally present and able to act.

B. Incidental Powers. In connection with the exercise of any of the powers described herein, you are authorized and empowered to perform any other act necessary or incidental to the exercise of such powers with the same validity and effect as if I were personally present, competent and personally exercised the powers myself.

Any third party from whom my attorney-in-fact may request information, records, or other documents regarding my personal affairs may release and deliver all such information, records, or documents. I hereby waive any privilege that may apply to release of such information, records, or other documents.

C. Third Party Reliance.

a. If this document is revoked or amended for any reason, I, my estate, my heirs, successors, and assigns will hold any party or parties harmless from any loss suffered, or liability incurred, by such party or parties when acting in accordance with this document prior to that party's receipt of written notice of any such termination or amendment.

b. No person who acts in reliance upon any representation you may make as to the scope of your authority granted under this document shall incur any liability to me, my estate, my heirs, successors or assigns for permitting you to exercise any such power, nor shall any person who deals with you be responsible to determine or insure the proper application of funds or property.

D. Revocation and Amendment.

I revoke all prior General or Durable Powers of Attorney that I may have executed and I retain the right to revoke or amend this document and to substitute other attorneys-in-fact in your place. Amendments to this document shall be made in writing by me personally (not by you) and they shall be attached to the original of this document.

E. Nomination of Conservator. If at any time it becomes necessary to appoint a conservator of my estate or person, or both, I hereby nominate Gloria Julianac James as such conservator. My conservator shall serve in such capacity without bond, or, if a bond be required, I request that such bond be set as low as possible. I hereby revoke all prior conservatorship nominations that I have made.

F. General Provisions.

1. Photostatic Copies. Only one original of this document has been executed. All parties dealing with you are authorized to rely fully on a photostatic copy of the original executed document.

2. Severability. If any provision of this document is not enforceable or is not valid, the remaining provisions shall nevertheless remain in full force and effect.

3. Governing Law. This document shall be governed by the laws of the State of California in all respects, including its validity, construction, interpretation, and termination.

4. Pronouns. Each pronoun used in this document, and the terms "agent" and "attorney-in-fact," shall be construed to include the masculine, feminine, neuter, singular and plural as required by the context.

I hereby execute this Durable Power of Attorney this 5 day of August, 2002 at Santa Cruz County, California.

Beatrice J. Bates
Beatrice J. Bates

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA

On 8.5.02 before me, the undersigned, a Notary Public for this State, personally appeared Beatrice J. Bates, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Deborah A. Malkin
Notary Public

