

147920

BOOK 238 PAGE 609

Return Address:

Mitch Patton
Po Box 1101
Carson WA 98610

FILED
ST
MAY 13 11 03 AM '03
J. MICHAEL
P. LARRY

DURABLE POWER OF ATTORNEY

THE UNDERSIGNED INDIVIDUAL, as principal, domiciled and residing in the State of Washington, as authorized by RCW 11.94 designates the following named person as Attorney-in-Fact to act for LUELLA B. PATTON as principal.

1. DESIGNATIONS: I, LUELLA B. PATTON, hereby appoint my grandson, MITCHELL D. PATTON of Carson, Washington if living, able and willing to serve, as my Attorney-in-Fact. In the event that my grandson shall predecease me or shall of any reason refuse or be unable or unwilling to continue serving as Attorney-in-Fact thereof, I hereby appoint Mitchell's wife, STACI L. PATTON of Carson, Washington and GAYLE E. HARBISON of St. Helens, Oregon as Co-Alternate Attorneys-in-Fact in his stead, with like powers and authority.

2. NOMINATION OF GUARDIAN. Said Attorney-in-Fact is hereby nominated guardian of the estate and/or person if protective proceedings for the principal are hereafter commenced.

3. 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. The Attorney-in-Fact shall have the authority to sell, pledge, transfer, assign, commit or otherwise dispose of any and all assets of the principal including bank accounts, stocks, bonds, savings certificates, certificates of deposit, treasury bills, motor vehicles and real property. The Attorney-in-Fact shall specifically have the power and authority to handle business regarding the principal's Social Security. The Attorney-in-Fact shall incur no personal liability for acts done as Attorney-in-Fact, pursuant to the power and on behalf of the principal. The Attorney-in-Fact shall specifically have the power and authority to make gifts of property owned by the principal; to make transfers of the property to any trust, whether or not created by the principal, in the event that the trust benefits the principal and does not have dispositive provisions which are different from those which would have governed the property had it not been transferred to the trust; and to disclaim property.

4. TAXES: My Attorney-in-Fact shall have the authority to act for me and represent me in all tax matters, including the

preparation, signing and filing of any state or federal tax returns, or extensions thereof. My Attorney-in-Fact may represent me in any tax audit, appeal, controversy, or court action involving any state or federal tax return for any year.

5. INFORMED CONSENT FOR HEALTH CARE DECISIONS. The Attorney-in-Fact, acting in the best interest of the principal may provide informed consent for health care decisions on the principal's behalf, subject to the same limitations as those that apply to a guardian under RCW 11.92.043(5), as amended.

(a) Furthermore, the Attorney-in-Fact's powers under this paragraph shall include, but shall not be limited to the following:

(1) obtaining access to medical records and other personal information including, but not limited to, medical and hospital records; executing any releases or other documents that may be required in order to obtain such information; and disclosing such information as Attorney-in-Fact deems appropriate.

(2) employing and discharging medical personnel as attorney in fact shall deem necessary for the principal's physical, mental and emotional well-being, and paying them (or causing to be paid to them) reasonable compensation.

(3) giving or withholding consent to any medical procedure, test or treatment, including but not limited to surgery and life sustaining procedures; and arranging for the principal's hospitalization, convalescent care, hospice, or home care.

(4) signing, executing and delivering any contract or other document that may be necessary, desirable, convenient or proper in order to exercise any of the powers described in this paragraph and incurring reasonable expenses in the exercise of such powers. The Attorney-in-Fact shall be reimbursed for all reasonable costs and expenses incurred on the principal's behalf.

(b) The principal may execute a statement setting out his/her personal values and desires regarding the use or non-use of life sustaining procedures. Should the principal execute such a statement, it will be attached to this document as an expression of this/her intent.

6. PURPOSES The Attorney-in-Fact shall have full powers to provide for the support, maintenance, health, emergencies and necessities for the principal.

7. EFFECTIVENESS: This power of attorney shall become effective immediately, and shall continue to be effective notwithstanding any future disability, incompetency, or unavailability.

8. **DURATION:** The durable power of attorney becomes effective as provided in Paragraph 7 and shall remain in effect until revoked or terminated under Paragraphs 9 or 10, notwithstanding any uncertainty as to whether in principal is dead or alive.

9. **REVOCATION BY PRINCIPAL:** This power of attorney may be revoked, suspended or terminated in writing by the principal with written notice to the designate Attorney-in-Fact, if living, by recording the written instrument of revocation in the office of the recorder or auditor of Clark County, Washington.

10. **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.

b) **By Death of Principal:** The death of the principal shall be deemed to revoke this power of attorney upon proof of death being received by the Attorney-in-Fact.

11. **RELIANCE:** Any person dealing with the Attorney-in-Fact shall be entitled to rely upon this power of attorney so 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 at the time of any act taken pursuant to this power of attorney. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees or personal representatives of the principal.

12. **ACCOUNTING** The Attorney-in-Fact shall be required to account to any subsequently appointed personal representative.

13. **APPLICABLE LAW:** The laws of the State of Washington shall govern this power of attorney.

14. **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.

Signed this 6th day of March 2003.

Luella B. Patton
LUELLA B. PATTON

BOOK 238 PAGE 612

STATE OF WASHINGTON)
COUNTY OF CLARK) :ss.

I certify that I know or have satisfactory evidence that LUELLA B. PATTON, is the person who appeared before me, and said person acknowledged that she signed this instrument, and acknowledged it to be her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6th day of March, 2003.



Laurie J. Trost
NOTARY PUBLIC in and for the
State of Washington.
My commission expires: 10/15/03