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Filed by: THOMAS FOLEY

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of SKAMANIA COUNTY SKAMANIA COUNTY AUDITOR J MICHAEL GARVISON

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## Recorded at the request of:

Thomas J. Foley Attorney at Law 1419 Broadway Vancouver WA 98663 (360) 696-8990

**DOCUMENT TITLE:** 

GENERAL DURABLE POWER OF ATTORNEY

DATE OF DOCUMENT:

September 12, 2007

**GRANTOR:** 

JACQUELIN L. FOLEY, as Personal Representative for the

Estate of FLOSSIE Z. CAPLES.

ATTORNEY IN FACT:

THOMAS J. FOLEY

LEGAL:

N/A

Skamania County Assessor

PARCEL NO:

N/A

Date 9-21-07 Parcels 320715 60 1519 00

110

## GENERAL DURABLE POWER OF ATTORNEY

I, JACQUELIN L. FOLEY, as Personal Representative for the Estate of FLOSSIE Z. CAPLES, hereby appoint, THOMAS J. FOLEY, my true and lawful attorney in fact to act in my name and for my benefit.

## FOR THE FOLLOWING PURPOSES:

1. <u>Accounts Receivable</u>. To demand, sue for, collect and receive all sums of money, debts, legacies, rents, interest, dividends, annuities, insurance proceeds and other intangible amounts which are now due or shall hereafter become due, and which belong to me and to use all lawful means for the recovery thereof, and to compromise and settle any claims for funds due me.

- 2. <u>Accounts Payable</u>. To pay any just and lawful debt, rent, interest, principal, judgments or other demands, which are now due or may hereafter become due, owing or payable by me.
- Real Estate. To agree to purchase or sell any real estate or interest therein by written earnest money gareement or other written document, to purchase or sell real estate or any interest therein by deed or real estate contract, to take possession of any real estate owned by me by any lawful means and to institute suit for such possession if necessary. In this regard, my attorney in fact shall have the right to institute suit for unlawful detainer, foreclosure or mortgage or to quiet title and to forfeit any real estate contract or foreclose any deed of trust by judicial or nonjudicial means, to rent real estate for my use or rent any real estate belonging to me to others and execute any rental agreements or leases on my behalf, to plat, subdivide and develop any real estate owned by me and to dedicate any plat, street, alley or public way, and to authorize and contract for any improvements to or repairs to real estate owned by me. To carry out the terms of this paragraph and without limiting the authority of my attorney in fact, my attorney in fact shall have the authority to execute any and all documents on my behalf, including but not limited to, escrow, collection and closing instructions, closing statements and loan applications.
- 4. <u>Personal Property</u>. To agree to purchase or sell any personal property or interest therein by written document, to purchase or sell any personal property or interest therein by bill of sale or other appropriate document, to rent personal property for my use or rent personal property belonging to me to others and execute any rental agreements or leases on my behalf, to take possession of any personal property owned by me by any lawful means and to institute suit for such possession if necessary, to authorize and contract for any improvements to or repairs to personal property owned by me.
- 5. <u>Securities</u>. To purchase or sell any 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 or stock brokerage account.
- 6. <u>Loans and Investments</u>. To loan and invest any monies now in my possession or hereafter acquired by me and to accept any note, mortgage, deed of trust or security interest in any tangible or intangible personal property as my attorney in fact shall think fit and to release, satisfy or reconvey in whole or in part any such security interest.

- 7. <u>Borrowing</u>. To borrow any funds in my name, secured or unsecured, in such amount and upon such terms and conditions as my attorney in fact shall think fit, and to execute any note, mortgage, deed of trust, or security interest in any tangible or intangible personal property granting the lender a security interest in my property in such manner as my attorney in fact shall think fit.
- 8. <u>Bank Accounts</u>. To make deposits to and withdrawals from and to open and close any savings or checking account or any certificate of deposit or money market fund in my name alone, or in my name and the names of others, and to carry out the terms of this paragraph, to endorse my name on any check, draft or money order for deposit into such account.
- 9. <u>Safe Deposit Box</u>. To have access to the contents of any safe deposit box in my name or in my name and the name of others.
- 10. <u>Business or Farm Property</u>. To operate any business or farm property in such manner as my attorney in fact shall think fit, including the right to exercise with respect to the management and disposition thereof all of my rights and powers, including the authority to broaden, limit or change the scope or nature of the business or farm property.
- 11. <u>Disclaimers</u>. My attorney in fact is authorized to disclaim pursuant to the laws of the State of Washington and the Internal Revenue Code all or any assets, property or interests to which I might be entitled as a beneficiary. In disclaiming, my attorney in fact may rely with acquittance on the advice of my attorney regarding my estate planning objectives.
- 12. <u>Tax Matters</u>. To handle all my tax matters including but not limited to those before the Internal Revenue Service and the taxing authority of any state of which I am a resident, whether such residence is my domicile or otherwise, and of any state which has asserted a claim for tax. This authority shall include the authority to submit an Internal Revenue Service Form 2848 with a statement attached to it indicating the validity of this power of attorney. My attorney in fact shall have authority to pay any tax or assessment; appear for and represent me, in person or by attorney, in all tax matters; execute any power of attorney forms required by the internal Revenue Service, the state in which I reside, or any other taxing authority; receive confidential information from any taxing authority; prepare, sign, and file federal, state, and local tax returns and reports for all tax matters, including income, gift, estate, inheritance, generation-skipping, sales, business, FICA, payroll, and property tax matters; execute waivers, including waivers of restrictions on assessment

or collection of tax deficiencies and waivers of notice of disallowance of a claim for credit or refund; execute consents, closing agreements, and other documents related to my tax liability; make any elections available under federal or state tax law; and delegate authority or substitute another representative with respect to all matters described in this paragraph.

- 13. <u>Durable Powers</u>. This power of attorney shall take effect immediately.
- 14. <u>All Powers</u>. By the execution of this General Durable Power of Attorney, it is my intention that my attorney in fact have all powers to do all things that I might do if personally present and legally competent.
- 15. <u>Revocation of Prior Powers of Attorney</u>. Any powers of attorney I may have previously executed are hereby revoked in their entirety.
- 16. <u>Termination</u>. Notwithstanding any uncertainty as to whether I am alive or dead, this Power of Attorney shall continue in effect to the extent permitted by law until revoked or terminated.
- 16.1 While competent, I may revoke this power of attorney by written notice to my attorney in fact and by recording a document of revocation in the Office of the Auditor of Clark County, Washington.
- 16.2 The appointment of a guardian of my estate shall vest in that guardian, with court approval, the power to revoke, suspend or terminate this power of attorney. A guardian of my person only shall not have such power.
- 16.3 My death shall revoke this power of attorney only at such time as my attorney in fact receives actual written notice of my death.
- 17. <u>Reliance</u>. As long as neither my attorney in fact nor any person dealing with my attorney in fact has, at the time of any act taken pursuant to this Power of Attorney, received actual knowledge or written notice of revocation or termination of this Power of Attorney by death or otherwise, my attorney in fact and persons dealing with my attorney in fact shall be entitled to rely upon this Power of Attorney.
- 18. <u>Indemnity</u>. My estate shall hold harmless and indemnify my attorney in fact from any and all liability from acts done in good faith. This indemnification shall not extend to any negligence or wilful wrongdoing by my attorney in fact.

19. Governing Law. The terms of this Power of Attorney shall be governed by the laws of the State of Washington.

DATED this  $\underline{\sqrt{3}}$  day of September, 2007.

JACQUE IN L. FOLEY, as Personal Representative for the Estate of FLOSSIE Z. CAPLES

STATE OF WASHINGTON	)
	: ss
County of Clark	)

I certify that I know or have satisfactory evidence that JACQUELIN L. FOLEY, as Personal Representative for the Estate of FLOSSIE Z. CAPLES, signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 13 day of September, 2007.

1001 Wottson

(Print name)

Notary Public
My appointment expires 10-17-1

