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Document Title(s) Durable Power of Attorney

Grantor(s) Patricia A ter Horst

_____ Additional Names on Page _____ of Document

Grantee(s) Linda R. Stewart and Lisa M Townsend

_____ Additional Names on Page _____ of Document

Legal Description (Abbreviated: i.e., lot, block & subdivision name or number OR section/township/range and quarter/quarter section)
SW ¼ SEC 6, T1N, R5E, W.M.

Complete Legal Description on Page _____ of Document

Auditor's Reference Number(s)

SKAMANIA COUNTY
REAL ESTATE EXCISE TAX
33670
JAN 29 2019

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

01-05-06-0-0-0700-00 and 01-05-06-0-0-0700-05

PAID 5,222.30
On deposit
SKAMANIA COUNTY TREASURER

The Auditor/Recorder will rely on the information provided on this cover sheet. The Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party(required for non-standard recordings only) GPCOVST. Doc rev4/02

DURABLE POWER OF ATTORNEY WITH HEALTH CARE PROVISION

The undersigned, PATRICIA A. ter HORST, domiciled in the State of Washington, as authorized by the laws of the State of Washington, herewith name, constitute and appoint LINDA R. STEWART and LISA M. TOWNSEND to act as my co-attorneys-in-fact ("attorney-in-fact").

1. **POWERS.** The attorney-in-fact, as fiduciary, shall have all powers of an absolute owner over the assets and liabilities of the undersigned, whether located within or without the State of Washington, including, without limitation, the power and authority to:

a) Make withdrawals and deposits to and payments from any account in a financial institution in the name of the principal and to enter any safe deposit box to which the principal has a right of access and deposit or remove property therefrom.

b) Sell, exchange, or otherwise transfer title to the principal's stock, bonds, 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 or stock brokerage account.

c) Sell, convey, exchange or otherwise transfer or encumber any real or personal property of the principal.

d) Disclaim, in whole or in part, any interest in property, whether outright, in trust, or otherwise, so long as in the sole discretion of the attorney-in-fact such disclaimer would not be detrimental to the best interests of the principal, and would be in the best interests of those interested in the estate of the principal and of those who take as a result of any such disclaimer.

e) Submit all federal and state income tax and gift tax returns on behalf of the principal and to pay all such taxes as may be due.

f) Represent the principal during audits, appeals, and lawsuits related to any income or gift tax return filed on behalf of the principal, and to pay any assessments for interest or penalties levied against the principal in connection with such tax returns.

g) Make transfers of the principal's property, both real and personal, to any trust created by the principal of which the principal is the beneficiary during the principal's life.

h) Make transfers of the principal's property, including but not limited to transfers to the principal's spouse and gifts to the principal's children, for the purpose of qualifying the principal for governmental medical assistance to the full extent provided by law should there be a need for medical care or for the purpose of preserving for the principal's spouse the maximum amount of property allowed under applicable law if an application has been made for governmental medical assistance; any transfers made pursuant to this paragraph shall not be deemed to be a breach of fiduciary duty by the attorney-in-fact.

i) Make gifts, whether outright or in trust, to the relatives of the principal and the spouses of any such relatives, in accordance with any pattern of making gifts to such persons

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OF PATRICIA A. ter HORST - 1**

which the principal has established or planned to establish or in such amounts as the attorney-in-fact shall determine appropriate so long as such gifts would be in the best interests of the principal and those interested in the estate of the principal, such determination to be made in the sole discretion of the attorney-in-fact; provided, however, the attorney-in-fact may make gifts to himself or herself from the principal's property in accordance with any pattern of making gifts which the principal may have established or planned to establish, but shall make other gifts to himself or herself only to the extent such gifts are advisable for the attorney-in-fact's health, support, maintenance and education.

j) Make decisions relating to the person of the principal, including providing informed consent for health care decisions on the principal's behalf, such as consenting to operations, hospitalization and any other physical medical treatment or any mental health treatment, including but not limited to the following:

i. 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. Towards the end, the attorney-in-fact shall also be authorized to sign any Patient Authorization/Disclosure forms required in order to permit the release of protected health information concerning the principal, including but not limited to such releases of information forms regulated by the Health Insurance Portability and Accountability Act (HIPAA).

ii. 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.

iii. 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.

iv. 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.

2. **PURPOSE.** The attorney-in-fact shall have all powers as are necessary or desirable to provide for my support, maintenance, health, emergencies and urgent necessities of the undersigned.

3. **EFFECTIVENESS.** This power of attorney shall become effective upon the disability or incompetence of the undersigned. Disability shall include the inability to manage his property and affairs effectively for such reasons 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 undersigned 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 undersigned.

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4. **DURATION.** This Durable Power of Attorney becomes effective as provided in Paragraph 3 and shall remain in effect to the extent permitted by RCW 11.94 or until revoked or terminated under Paragraphs 5 and 6, notwithstanding any uncertainty as to whether the undersigned is dead or alive.

5. **REVOCATION.** This power of attorney may be revoked, suspended or terminated in writing by the undersigned with written notice to the designated attorney-in-fact and by recording the written instrument of revocation in the office of the auditor of Clark County, Washington.

6. **TERMINATION:**

a) **By Appointment of Guardian:** The appointment of a guardian of the estate of the undersigned 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 the Undersigned:** The death of the undersigned shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the attorney-in-fact.

7. **ACCOUNTING.** The attorney-in-fact shall be required to account, within a reasonable period of time, to the principal, any successor attorney-in-fact, guardian, conservator or personal representative. If a conservator/guardian is appointed, the attorney-in-fact shall account to the conservator/guardian and to the principal during the continuation of such appointment. The attorney-in-fact shall be entitled to a reasonable fee for services performed in the position of attorney-in-fact.

8. **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 she or he 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 undersigned.

9. **INDEMNITY.** The estate of the undersigned shall hold harmless and indemnify the attorney-in-fact from all liability for acts done in good faith and not in fraud of the undersigned.

10. **GUARDIANSHIP.** Pursuant to RCW 11.94.010, I hereby nominate LINDA R. STEWART and LISA M. TOWNSEND to serve as the Co-Guardians of my person and estate for consideration by the court if any protective or guardianship proceedings are commenced. If, for any reason either one of them is unable or unwilling to so act, then the other named Co-Guardian shall serve as the sole Guardian of my person and estate.

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

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12. **ALTERNATE.** In the event that either of LINDA R. STEWART or LISA M. TOWNSEND is unable or unwilling to act as a co-attorney-in-fact, then I designate the other named co-attorney-in-fact as the sole attorney-in-fact, with all the above herein mentioned powers.

13. **EXECUTION.** This power of attorney is signed this 25th day of March, 2014, to become effective as provided in Paragraph 3.

14. **HEALTH CARE PROVISION.** I also appoint the herein named attorney-in fact or <his/her> alternate to make health and personal care decisions for me. I direct my attorney-in-fact to follow my desires as may be stated in this document, or in other documentation such as a directive to physicians, or otherwise known to my attorney-in-fact, and to attempt to discuss proposed decisions with me to determine my desires if I am able to communicate in any way. If my attorney-in-fact cannot determine my wishes, then my attorney-in-fact shall make a choice for me based on what my attorney-in-fact believes to be in my best interest. My attorney-in-fact's authority is intended to be as broad as possible and the powers as denoted in paragraph 1.j). are included powers and not a limitation of such powers.

15. **LIMITATIONS ON POWERS.** Notwithstanding the foregoing, the attorney-in-fact shall not have authority to make, amend, alter, revoke or change any life insurance policy, employee benefit, or testamentary disposition of the Principal's property or to exercise any power of appointment. This limitation shall not affect the authority of the attorney-in-fact to disclaim an interest or revoke a Community Property Agreement.

Patricia A. ter Horst
PATRICIA A. ter HORST

STATE OF WASHINGTON)
) ss
County of Clark)

On this day personally appeared before me PATRICIA A. ter HORST, known to me to be the individual described in and who executed the within and foregoing Durable Power of Attorney, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25th day of March, 2014.

NOTARY PUBLIC
STATE OF WASHINGTON
LISA M TREMBLE
COMMISSION EXPIRES 10-15-2017

Lisa M. Tremble
NOTARY PUBLIC in and for the State
of Washington, residing at Vancouver
My Commission Expires: 10-15-2017

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