



**WHEN RECORDED RETURN TO**

PETTIS WEBBER PACIFIC P.S.  
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**GENERAL DURABLE POWER OF ATTORNEY**

GRANTOR(S): **NORMA J. MORTENSEN**  
GRANTEE(S): **DONALD J. MORTENSEN**  
ABBREVIATED LEGAL DESCRIPTION: n/a  
ASSESSOR'S TAX PARCEL ID #: n/a  
REFERENCE NO: n/a

**NORMA J. MORTENSEN** ("principal") hereby designates **DONALD J. MORTENSEN** as the attorney in fact to act for the undersigned principal. In the event **DONALD J. MORTENSEN** is unable or unwilling to act as attorney in fact, **STEVEN L. MORTENSEN** is designated as alternate attorney in fact. In the event **STEVEN L. MORTENSEN** is unable or unwilling to act as attorney in fact, **JAMES K. MORTENSEN** is designated as alternate attorney in fact. The inability of the attorney in fact to act shall be evidenced by a signed writing by the declining attorney in fact, by a signed writing by the physician for the declining attorney in fact, or an affidavit of explanation by the alternate attorney in fact.

***FOR THE FOLLOWING PURPOSES:***

1. General. The attorney in fact shall have all the powers of an absolute owner over the principal's assets and liabilities, as provided in RCW 11.125, to act as the principal's fiduciary in the principal's name and for the principal's benefit, whether such asset or liability is located within the state of Washington or elsewhere, to do all things that the principal might do if personally present and legally competent.

a. Purposes. The attorney in fact shall have full power to provide for the support, maintenance, emergencies, welfare, comfort, investments, necessities and health of the principal.

b. Durable Power. This power of attorney shall not be affected by the incapacity of the principal and shall take effect as set forth in paragraph 2.

c. Securities. As a specific assurance to transfer agents, the principal specifies, without limiting the purposes otherwise set forth herein, that this power shall include the power to purchase or sell any securities or any interest therein and in that regard to endorse or transfer any security including stock certificates, stock powers, bonds, mutual funds and to execute affidavits of domicile or other documents necessary to effect the transfer of such property or interest, to take possession of any security or register same in the name of any stock broker or stock brokerage account.

d. Government Benefits. The attorney in fact shall have authority to act as the principal's agent or representative payee with respect to any federal or state government benefits or entitlements from Social Security, military service, Department of Veterans Affairs, Railroad Retirement, Medicare, Medicaid as well as any others to which the principal might be entitled.

e. Disclaimers. The 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 the principal might be entitled as a beneficiary. In disclaiming, the attorney in fact may rely on the advice of an attorney regarding the principal's estate planning objectives.

f. Gifts. The attorney in fact is authorized to make gifts to the principal's spouse, if any, and to the principal's family members, provided that the sum of all gifts to any person(s) other than the principal's spouse, if any, together with all prior gifts that the principal has made, shall not exceed the unified credit amount allowed by the Internal Revenue Code or the law of any state in which the principal is domiciled at the time such gift is made. In making any such gift, the attorney in fact shall make the gift consistent with any estate plan that the principal currently has in place. Further, the attorney in fact may consider a pattern of gifting established by the principal, the principal's ability to continue making such gift or gifts, the principal's continued health and well-being, the impact of inflation upon the value of such gifts, reduction of death taxes at the time of the principal's death and other estate planning considerations. Consistent with RCW 11.103.030, the attorney in fact shall have further authority to direct the trustee of any revocable trust settled by the principal to make distributions for gifting.

g. Beneficiary Designations & Nonprobate Transfers. The attorney in fact is authorized to make, alter, amend or revoke the beneficiary designation of the principal's life insurance, annuity or any similar contract of which the principal has an ownership interest including employee benefit plan beneficiary designations, trust agreements, registration of the principal's securities in beneficiary form, payable on death or transfer on death beneficiary designations, designation of persons as joint tenants with right of survivorship with the principal with respect to any of the principal's property, community property agreements or any other provisions for nonprobate transfer at death contained in nontestamentary instruments described in RCW 11.02.091.

h. Governmental Assistance Programs. The attorney in fact, in addition to the authority in the preceding paragraph, is authorized to make transfers of property to the principal's

spouse, if any, family members, beneficiaries of the principal's estate plan or third person(s) to qualify the principal for the benefits offered by government programs, provided however that such transfers take advantage of planning options available under program rules or that reasonable consideration be made to keep such transfers consistent with the principal's estate plan. The attorney in fact is further authorized to make transfers of property to any trust, whether or not created by the principal, in the event the trust benefits the principal, spouse of the principal, children of the principal or beneficiaries of the principal's estate plan and to execute assignments or transfers of assets pursuant to RCW 74.09.585. This authorization shall include the power to make transfers for the purpose of facilitating an application or avoiding an estate recovery program of any government assistance program. It shall specifically include authority to waive statutory rights including, but not limited to, a waiver of homestead, rights in lieu of homestead, award in addition to the homestead and for a family allowance under RCW 11.12.095, rights to property under RCW 11.04.015 and rights to quasi-community property under RCW 26.16.220 to 26.16.250. It is the express wish of the principal that authority be granted to establish a trust for the principal under 42 USC §1396p or WAC 182-516-0100 or any related or successor statutory provisions.

i. Trust Matters. The attorney in fact shall have authority as set forth below in regards to trusts of which the principal is a trustor, trustee, beneficiary or has any other interest or beneficial interest.

(1) *Establish, transfer to or fund a Trust.* To establish a trust and make transfers to or fund a trust so long as the trust is consistent with any estate plan the principal currently has in place. This authority shall specifically include authority to establish a trust which avoids the need for probate of the principal's estate, qualifies the principal, the principal's spouse or the principal's children, if any, for entitlement benefits, reduces federal or state estate taxes or reduces federal or state income taxes. It is the express wish of the principal that authority be granted to establish, transfer to, or fund a trust for the principal under 42 USC §1396p or WAC 182-516-0100 or any related or successor statutory provisions.

(2) *Modification, Amendment or Reformation of Trust.* As set forth in RCW 11.125.240(1) and RCW 11.103.030(5) the attorney in fact shall have authority to make modifications or amendments to any revocable living trust agreements wherein the principal is a trustor so long as the modification or amendment is consistent with the distributive scheme of the principal's estate plan. Further the attorney in fact shall have authority to revoke or withdraw property from any revocable living trust agreements wherein the principal was a trustor.

(3) *Exercise Trust Rights.* The attorney in fact shall have authority to exercise the principal's rights to distribute property from a trust or cause a trustee to distribute property from trust to the extent such exercise is consistent with the terms of the trust agreement for which the principal has a beneficial interest.

j. Tax Matters. The attorney in fact shall have authority to handle all the principal's tax matters including but not limited to those before the Internal Revenue Service and the

taxing authority of any state of which the principal is a resident, whether such residence is the principal's 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. The attorney in fact shall have authority to pay any tax or assessment; appear for and represent the principal, 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 the principal resides, 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 the principal's 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.

k. Department of Veterans Affairs. The attorney in fact shall have authority, to the extent allowed by federal law, to act on behalf of the principal in matters related to the Veterans Benefits Administration, Veterans Health Administration and the National Cemetery Administration, including but not limited to the authority to sign an application for compensation or pension, including but not limited to VA Form 21-526, VA Form 21-22 /21-22A, VA Form 21-4142 and any successor or additional related forms.

l. Digital Assets. As a specific assurance to the holder of digital assets, the attorney in fact shall have all the powers of an absolute owner to act as to any digital asset, including but not limited to any online accounts owned by the principal, pictures, photographs, videos, artwork, music or documents stored online, websites, domain names, blogs, online banking accounts, investment accounts and credit card accounts, social networking accounts, online shopping accounts, virtual businesses, online auction houses, avatars, professional and personal data backups and online bill payment accounts.

m. Virtual Representation. The attorney in fact shall have authority to act as representative of the principal to request and receive notice, information and reports on behalf of the principal under RCW Title 11 and to approve or otherwise consent to or to object to such notice, information and reports for the purpose of protecting the beneficial interest of the principal. In addition, the attorney in fact may execute, on the principal's behalf, agreements modifying, terminating or otherwise affecting the administration of a trust or estate, if the attorney in fact determines that consent to such agreement(s) is in the best interest of the principal and is in keeping with the principal's estate plan.

n. Health Care Decisions. The attorney in fact shall have authority to make medical, mental and health care decisions on behalf of the principal including the authority to give informed consent to obtain medical, surgical, health and/or nursing care treatment or non-treatment



on behalf of the principal, as provided in Chapter 7.70 RCW including but not limited to the following:

(1) Powers: The powers shall include but not be limited to the following: (a) to request, receive and review any information, verbal or written, regarding the principal's personal affairs or the principal's personal or mental health, including medical and hospital records; (b) to execute any releases or other documents that may be required in order to obtain such information; (c) to disclose such information to such persons, organizations, firms or corporations as the attorney in fact deems appropriate; (d) to employ and discharge medical personnel for principal's physical, mental and emotional well-being, and to pay them reasonable compensation; (e) to give or withhold consent to any medical procedure, test or treatment, including surgery; provided, however, the attorney in fact may not consent, without court approval, to any procedure referred to in RCW 11.92.043(5) that requires court approval before a guardian may consent to it; (f) to arrange for the principal's hospitalization, all types of convalescent care, hospice, home care and for provision of other health care services; (g) to revoke, modify or change consent to procedures, tests and treatments as well as hospitalization, convalescent care, hospice or home care which may have previously been allowed or consented to or which may have been provided due to emergency conditions when such procedures, tests or treatments are no longer of benefit to the principal; and (h) the power and authority to serve as the personal representative for all purposes of the Health Insurance Portability and Accountability Act of 1996, (Pub. L. 104-191), 45 CFR Section 160 through 164, regardless of the terms of paragraph (2).

(2) Prior Consultation with Principal. In exercising such powers, the attorney in fact will first make reasonable efforts to discuss with the principal the specifics of any proposed decision regarding principal's medical care and treatment if the principal is able to communicate in any manner, however rudimentary. Proof or demonstration of discussions shall not be required by third parties. If the principal is unable to give an informed consent to a proposed medical treatment, the attorney in fact shall allow, withhold, or withdraw such consent for the principal based upon any treatment choices that the principal has expressed to the attorney in fact while not incapacitated, whether under this instrument or otherwise. If the attorney in fact cannot determine the treatment choice that the principal would want made under such circumstances, then the attorney in fact shall make such choice based upon what the attorney in fact believes to be in the principal's best interests.

(3) Withholding or Withdrawing of Life Sustaining Procedures. The principal has also executed a Health Care Directive under the Natural Death Act of the state of Washington. The attorney in fact shall have power to approve and direct the withholding or withdrawing 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 as set forth therein.

(4) Right to Refuse Medical Treatment. The attorney in fact shall also have the power to summon paramedics or other emergency medical personnel and seek emergency treatment for the principal, or choose not to do so, as the attorney in fact deems appropriate given

the wishes in any Health Care Directive that the principal may have executed as well as any necessary waivers of or releases from liability required by the hospitals or physicians to implement the wishes of the principal regarding medical treatment or nontreatment; and discuss and concur with the writing of a "no-code" (DO NOT RESUSCITATE) order or POLST (Physician Order on Life Sustaining Treatment) by an attending or treating physician.

2. Effectiveness. This power of attorney shall become effective immediately.

3. Definition of Incapacity. Incapacity 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, advanced age, chronic or excessive use of drugs, chronic intoxication, confinement by governmental authority, detention by a foreign power or disappearance. The principal shall be deemed to have full capacity and not be incapacitated unless the principal's physician determines otherwise in a signed writing delivered to the attorney in fact. In the case of confinement, detention or disappearance, incapacity may be evidenced by a written statement of a qualified person with knowledge of such incapacity. Upon the principal's request, the principal's physician shall determine whether the principal is no longer incapacitated and evidence the determination in a signed writing delivered to the attorney in fact. Alternatively, capacity or incapacity may be established by: (a) a finding of a court having jurisdiction over the principal; (b) a qualified physician who has attended the principal and has sufficient familiarity with the principal with which to make a determination; or (c) by the principal's consent in writing which consent shall be notarized or witnessed by two persons other than the designated attorney in fact.

4. Guardian. In the event it is necessary to appoint a guardian or limited guardian of the person or estate of the principal, **DONALD J. MORTENSEN** is hereby designated for that purpose. In the event **DONALD J. MORTENSEN** is unable or unwilling to be appointed as guardian or limited guardian, **STEVEN L. MORTENSEN** is hereby designated as alternate guardian or limited guardian of the person or estate of the principal. In the event **STEVEN L. MORTENSEN** is unable or unwilling to be appointed as guardian or limited guardian, **JAMES K. MORTENSEN** is hereby designated as alternate guardian or limited guardian of the person or estate of the principal.

5. Revocation. Any powers of attorney the principal may have previously executed are hereby revoked in their entirety. This General Durable Power of Attorney is revoked as to the spouse of the principal upon dissolution, legal separation or declaration of invalidity of the marriage of the principal.

6. Termination. Notwithstanding any uncertainty as to whether the principal is alive or dead, this Power of Attorney shall continue in effect to the extent permitted by law until revoked or terminated.

a. While competent, the principal may revoke this power of attorney by written notice to the attorney in fact and by recording a document of revocation in the Office of the Auditor of Skamania County, Washington.

b. The appointment of a guardian of the principal's estate shall vest in that guardian, with court approval, the power to revoke, suspend or terminate this power of attorney. A guardian of the person for the principal only shall not have such power.

c. The death of the principal shall revoke this power of attorney only at such time as the attorney in fact receives actual written notice of the principal's death.

7. Reliance. As long as neither the attorney in fact nor any person dealing with the 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, the attorney in fact and persons dealing with the attorney in fact shall be entitled to rely upon this Power of Attorney.

8. Indemnity. The estate of the principal shall hold harmless and indemnify the attorney in fact from any and all liability from acts done in good faith. This indemnification shall not extend to any negligence or willful wrongdoing by the attorney in fact.

9. Petition to Court & Power to Sue Third Parties Who Fail to Recognize Power of Attorney. The attorney in fact is specifically authorized to follow the procedures set forth in RCW 11.125 to petition the court for the purposes set forth therein. Further, if any third party (including but not limited to stock transfer agents, title insurance companies, banks, brokerage accounts, insurance companies, credit unions, and savings and loan associations) with whom the principal's attorney in fact seeks to transact business, refuses to recognize the attorney in fact's authority to act on the principal's behalf pursuant to this Power of Attorney, the principal authorizes the attorney in fact to sue and recover from such third party all resulting damages, costs, expenses, and attorney's fees that are incurred because of such failure to act. The costs, expenses and attorney's fees incurred in bringing such action shall be charged against the principal's general assets, to the extent they are not recovered from said third party. The principal expressly directs the attorney in fact to move the principal's assets from any brokerage, transfer agent or other entity that refuses to recognize the full extent of powers that the principal intends to convey by this power of attorney.

10. Accounting and Fees. The attorney in fact shall be required to account, within a reasonable period of time, to the principal, any successor attorney in fact, guardian, personal representative or trustee for the principal. The attorney in fact shall be entitled to a reasonable fee for services performed as the attorney in fact.

11. RCW 11.95. The principal intends to grant the authority granted herein irrespective of the provisions of RCW 11.95 and does not issue such grant subject to the restrictions of RCW 11.95.100 and RCW 11.95.110.

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

NOV 16, 2021.

Norma J. Mortensen  
NORMA J. MORTENSEN

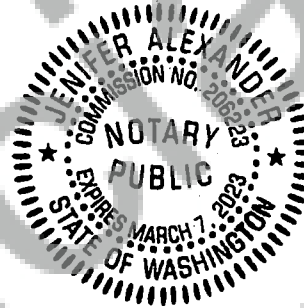
STATE OF WASHINGTON )  
 ) ss.  
County of Clark )

I certify that I know or have satisfactory evidence **NORMA J. MORTENSEN** is the person who appeared before me, and **NORMA J. MORTENSEN** signed this instrument and acknowledged it to be **NORMA J. MORTENSEN'S** free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: NOV 16, 2021

Notary Public  
Printed Name: Jenifer Alexander  
My Appointment Expires: 03/07/2023  
Residing at: Vancouver, WA

NOTARY: Please place seal within borders of box.



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J:\PWP\Clients M-Z\Mortensen Elder Law\Norma and John\2021\DPA.wpd

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