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Skagit County Auditor

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FILED FOR RECORD AT REQUEST OF:

ROBERT SYMONDS
14638 Gibraltar Road
Anacortes, WA 98221

COVERSHEET

**CONTINGENT DURABLE POWER OF ATTORNEY
FOR
PATRICIA A. SYMONDS
CREATED MAY 31, 2000**

REFERENCE NUMBER OF RELATED DOCUMENT: None

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER: None

LEGAL DESCRIPTION: None

GRANTOR:

1. PATRICIA A. SYMONDS

GRANTEE:

2. ROBERT E. SYMONDS

WHEN RECORDED RETURN TO:

JAMES E. ANDERSON P.S.
P.O. BOX 727
ANACORTES, WA 98221

CONTINGENT DURABLE POWER OF ATTORNEY

THE UNDERSIGNED, **PATRICIA A. SYMONDS**, domiciled and residing in Anacortes, State of Washington, as authorized by the Revised Code of Washington, Chapter 11.94, designates the following named person(s) as Attorney-in-Fact to act for the undersigned as the Principal who may hereafter become disabled or incompetent.

1. **Designation.** **ROBERT E. SYMONDS** of Anacortes, Washington, is hereby designated as Attorney-in-Fact for the Principal. If for any reason said person becomes unable or unwilling to so act, then **STEPHEN E. SYMONDS** of Renton, Washington, is designated as alternate Attorney-in-Fact to act for the Principal. In the event that a guardianship or limited guardianship of the person or estate of the Principal is necessary, the Principal designates the Attorney-in-Fact designated herein to serve in that role subject to the confirmation of the Court.

2. **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, and real property (including specifically, my homestead interest in any real property). The Attorney-in-Fact shall have the right to have access to any safety deposit box in which the undersigned has the right of access. The Attorney-in-Fact **shall not** have the power to revoke or change any estate planning or testamentary documents previously executed by the Principal except as provided below. The Attorney-in-

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Fact shall specifically have the power and authority to: Alter, amend, or revoke community property agreements; to annually make gifts not in excess of the amount that is at that time excludable from taxable gifts under the applicable provisions of the Internal Revenue Code to principal's relatives, close friends, or other natural objects of principal's bounty; to make transfers of the property to any trust, whether or not created by the Principal, for so long as the trust benefits the Principal (or the Principal's spouse, if any) 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; to disclaim property as the Attorney-in-Fact deems appropriate; to give an informed consent on the Principal's behalf to the conduct of medical tests, surgery, or other forms of health care upon recommendation of my attending physician or physicians and to sign all medical and hospital forms or consents in connection therewith; and to transfer assets either to the Attorney-in-Fact or others for the purposes of qualifying for medical assistance.

3. **Purposes.** The Attorney-in-Fact shall have all of the powers as are necessary or desirable to provide for the support, maintenance, health, emergency care, and urgent necessities of the disabled or incompetent Principal.

4. **Effectiveness.** This power of attorney shall become effective upon receipt by the designated Attorney-in-Fact of written evidence of the incompetency or disability of the Principal as determined by a court of competent jurisdiction or receipt of a written statement of determination of the disability of the Principal which shall include the inability to effectively manage Principal's property and affairs for reasons such as mental illness, mental disability, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, confinement, detention, or disappearance. Such written statement shall be made by the then regularly attending physician of the Principal or if there is no regularly attending physician, by another qualified physician or by other persons with knowledge of any confinement, detention, or disappearance.

5. **Duration.** This power of attorney becomes effective as provided in paragraph 4 above and shall remain in effect to the extent permitted by RCW 11.94 or until revoked or terminated under paragraph 6 or 7 below, notwithstanding any uncertainty as to whether the Principal is dead or alive.

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6. **Revocation.** This power of attorney may be revoked, suspended, or terminated in writing by the Principal with written notice to the designated Attorney-in-Fact and by recording the written instrument of revocation in the office of the recorder or auditor of the county of the Principal's residence stated below.

7. **Termination.**

a. **By Appointment of Guardian.** The appointment of a full guardian for 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 or of a limited guardian without the specified power to revoke, suspend, or terminate does not empower the guardian or limited guardian to revoke, suspend or terminate this power of attorney.

b. **By Death of Principal.** The death of a Principal shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the Attorney-in-Fact.

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

9. **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 they are 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 actions so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the Principal.

10. **Indemnity.** For all acts done in good faith, the Attorney-in-Fact shall incur no personal liability for acts done pursuant to this power of attorney and on behalf of the Principal, and Principal's estate shall hold harmless and indemnify the Attorney-in-Fact from all liability for acts done in accordance therewith.

11. **Applicable Law.** The laws of the State of Washington shall govern this power of attorney.

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