



200908180057

Skagit County Auditor

8/18/2009 Page

1 of

6 3:32PM

WHEN RECORDED RETURN TO:

Virginia E. Courson
31836 S. Skagit Highway
Sedro-Woolley, WA 98284

LAND TITLE OF SKAGIT COUNTY

134216-PF

DOCUMENT TITLE(S):

General Durable Power of Attorney

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

GRANTOR:

VIRGINIA E. COURSON, a single woman, as her separate property

GRANTEES:

ELDEEN GILBERT

ABBREVIATED LEGAL DESCRIPTION:

Ptn NE 1/4, 29-35-6 E W.M.

TAX PARCEL NUMBER(S):

350629-1-002-0402, P41993, 350629-1-002-0501, P41994, 350629-1-002-0204, P41991

**GENERAL DURABLE POWER OF ATTORNEY OF
OF
VIRGINIA COURSON
EFFECTIVE IMMEDIATELY**

I, VIRGINIA COURSON, (hereinafter called Principal), domiciled and residing in the State of Washington, designate my daughter, ELDEEN GILBERT, as my attorney in fact. The appointment of the Attorney-in-Fact is made pursuant to RCW 11.94.010.

1. REVOCATION OF PREVIOUS POWERS OF ATTORNEY

The Principal hereby revokes any and all Powers of Attorney which have been previously executed by her and declares that this General Durable Power of Attorney shall supersede any previous Powers of Attorney. This document known as "General Durable Power of Attorney of VIRGINIA COURSON," once in effect shall remain in full force and effect until revoked or terminated.

2. EFFECTIVENESS

This Power of Attorney shall become effective immediately upon signature of the Principal, and shall continue throughout any later disability or incapacity of the Principal. Disability shall include the inability to manage property and affairs effectively for reasons such as: mental illness, dementia, mental deficiency, physical illness or disability, chronic use of drugs, or chronic intoxication. In the event of the Principal's confinement, detention by a foreign power, kidnapping or disappearance, this Power of Attorney shall remain in full force and effect.

In order for this document to become effective due to incapacity or disability, a written statement of the Principal's attending physician stating the condition of the Principal and the need for an Attorney in Fact must accompany this document.

3. DESIGNATION OF ALTERNATE ATTORNEY-IN-FACT

The Principal hereby grants the Attorney-in-Fact full power and authority as though she were the absolute owner of the Principal's assets and liabilities, and to perform any and all acts in the name of the Principal, as fully as the Principal could perform if the Principal were personally present.



If any Attorney-in-Fact designated by this document is unable or unwilling to act, then such declination may be made in writing. If the Attorney-in-Fact is unable or unwilling to act in the capacity of Attorney-in-Fact and the designated Attorney-in-Fact is unwilling to sign a written declination, then any person with personal knowledge that the designated Attorney-in-Fact is unwilling or unable to act may furnish a written, notarized statement to that effect. Such a written statement shall then make the next alternate Attorney-in-Fact the Attorney-in-Fact. The original of any written statement shall be attached to the original of this Power of Attorney.

4. NOMINATION OF GUARDIAN

The Principal, VIRGINIA COURSON nominates ELDEEN GILBERT as Guardian of her Estate and Person for consideration by the Court if guardianship proceedings for her Estate or Person are later commenced. *This Power of Attorney is executed as an alternative to guardianship.*

5. AUTHORITY AND POWER OF ATTORNEY-IN-FACT

The Attorney-in-Fact, as fiduciary, shall act in the best interests of the Principal and shall have authority over the assets of the Principal, whether they are located in the State of Washington, or any other State. These powers shall include:

(a) Selling or otherwise disposing of the Principal's separate or community property interest. The Attorney-in-Fact shall have the specific authority to make, alter or revoke life insurance beneficiary designations, or to change or assign ownership of any life insurance policies owned by the Principal. The Attorney-in-Fact is also authorized to make transfers of property to any Trust established for the benefit of the Principal or [his/ her] spouse, and to enter into or revoke Community Property Agreements;

(b) Signing the name of the Principal to any real property instruments, including deeds, conveyances, mortgages, leases or other documents which are necessary to carry out the business or personal affairs of the Principal;

(c) Opening and closing bank accounts and other financial instruments, making deposits to and withdrawals from bank accounts, and investing and reinvesting funds. This power shall include but is not limited to investments in stocks, bonds and government securities, and withdrawing, transferring or cashing in any and all financial or investment accounts. The Attorney-in-Fact shall have the power to borrow on behalf of the Principal and to endorse and/or cash any and all checks issued by the United States Treasury and/or United States Government, and sign forms and receive checks from the Department of Veterans Affairs;

(d) Having access to the Principal's safe deposit box;

(e) Signing tax returns on behalf of the Principal and representing or obtaining representation of the Principal at a tax audit;



(f) Borrowing funds for the benefit of the Principal which may be desirable if the other alternative would be to sell a highly appreciated asset during the life of the Principal, thus forfeiting the stepped-up basis at death;

(g) Forgiving or collecting debts owed to the Principal;

(h) Redirecting (forwarding) the Principal's mail;

(i) Continuing or canceling the credit cards of the Principal;

(j) Appealing Medicare denials: The Principal hereby specifically authorizes the Attorney-in-Fact to act on the Principal's behalf to take any action or actions necessary to pursue and appeal any denials of Medicare coverage which have been issued by any health care facility or institution regarding the Principal's eligibility for Medicare benefits;

(k) Disclaiming any interest to which the Principal may be entitled, so long as such disclaimer would not adversely affect the quality of care received by the Principal;

(l) In the event the Principal is incapacitated as determined by a letter written by the attending physician, or a psychologist competent to determine capacity regarding decision making, then the Principal hereby authorizes [his/her] Attorney-in-Fact to make gifts of the assets of the Principal. In the event the Principal is incapacitated as determined by a letter written by the attending physician, or a psychologist competent to determine capacity regarding decision making, then the Principal hereby authorizes [his/her] Attorney-in-Fact to make gifts of the Principal's assets if the Principal requires nursing home care (no other options are reasonably feasible) and such gifting is undertaken to qualify the Principal for any public program for assistance in paying for this care. A copy of the letter shall be attached to this Power of Attorney and the entire document shall be recorded.

6. POWERS NOT SPECIFICALLY ENUMERATED

The Attorney-in-Fact shall also have all powers which may be necessary or desirable to provide for the support or maintenance of the Principal, even if these powers are not specifically set forth in this document.

7. DURATION

This Durable Power of Attorney becomes effective immediately and shall remain in effect to the extent permitted by Washington State Law or until revoked or terminated, even if it is not certain whether the Principal is alive. If there is any doubt as to whether the Principal is alive, this Power of Attorney shall remain in full force and effect until conclusive proof is obtained, or legal proceedings declare the Principal deceased.



8. REVOCATION

This Durable Power of Attorney may be revoked, suspended, or terminated in the following ways:

- (a) If the Principal gives written notice to any acting Attorney-in-Fact; and
- (b) By recording the written notice of revocation in the Office of Recorder or Auditor of Thurston County, Washington.

9. TERMINATION OF THIS DOCUMENT

(a) This Power of Attorney shall not be revoked by any subsequent guardianship action, unless specifically set forth in the Court's Order. It is the intention of the Principal that the powers granted herein shall eliminate the need for the appointment of a Guardian of the Person and/or Estate of the Principal.

(b) The death of Principal shall revoke this Power of Attorney, unless there is any question regarding whether the Principal is alive, in which case the provisions of Section 7 above shall apply.

10. ACCOUNTING BY ATTORNEY-IN-FACT

The Attorney-in-Fact, appointed by this document shall keep records of expenditures and shall account to any later-appointed Personal Representative.

11. RELIANCE

All persons dealing with the Attorney-in-Fact because of this document shall be entitled to rely upon this Power of Attorney, so long as neither the Attorney-in-Fact, nor any person with whom the Attorney-in-Fact was dealing, had received actual knowledge or notice of any revocation, suspension or termination of this document. Any action taken in good faith by all parties shall be binding on the heirs and Personal Representative(s) of the Principal.

12. INDEMNITY

The Attorney-in-Fact shall not have any personal liability for any acts done by virtue of this Power of Attorney, so long as the acts are done in good faith. The Estate of the Principal shall defend, hold harmless and indemnify the Attorney-in-Fact from all liability for acts done in good faith and not in fraud of the Principal.



