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WHEN RECORDED RETURN TO:

**Guardian Northwest Title
1301 B Riverside Drive
Mount Vernon, WA 98273**

Skagit County Auditor

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GUARDIAN NORTHWEST TITLE CO.

107899

DOCUMENT TITLE(S):

Durable Power of Attorney

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

GRANTORS:

Arnold D. Kjarstad

GRANTEES:

Linda Bean and Sandra Lowe

ABBREVIATED LEGAL DESCRIPTION:

Tract 1, , South Wall Street Addn., according to the Plat thereof filed in Volume 7 of Plats at Page(s) 70, records of Skagit County, Washington.

TAX PARCEL NUMBER(S):

P69694, 4017-000-001-0002

DURABLE POWER OF ATTORNEY

THE UNDERSIGNED ("Principal"), domiciled and residing in the state of Washington as authorized by RCW 11.94, designates the following named person as attorney in fact to act for the undersigned as the Principal, who may hereafter become disabled or incompetent.

1. **DESIGNATION.** ARNOLD D. (ARNIE) KJARSTAD, the Principal, designates LINDA BEAN and SANDRA LOWE as co-attorneys in fact for the Principal. If either declines, fails, refuses or is unable to act, then ARNIE JOHN (THOMAS) KJARSTAD shall act as a co-attorney in fact for the Principal. Any attorney in fact may act independently of the other.

2. **EFFECTIVENESS-DURATION.** This power of attorney shall become effective immediately, shall not be affected by the disability or incompetence of the Principal, and shall continue until revoked or terminated under the paragraph below entitled Termination, notwithstanding any uncertainty as to whether the Principal is dead or alive.

3. **POWERS.** The attorney in fact shall have all of the powers of an absolute owner over the assets and liabilities of the Principal, whether located within or without the state of Washington. These powers shall include, without limitation, the power and authority specified below:

a. **Real Property.** The attorney in fact shall have authority to purchase, take possession of, lease, sell, convey, exchange, mortgage, release and encumber real property or any interest in real property.



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- b. **Personal Property.** The attorney in fact shall have authority to purchase, receive, take possession of, lease, sell, assign, endorse, exchange, release, mortgage and pledge personal property or any interest in personal property.
 - c. **Financial Accounts.** The attorney in fact shall have the authority to deal with accounts maintained by or on behalf of the Principal with institutions (including, without limitation, banks, savings and loan associations, credit unions and securities dealers). This shall include the authority to maintain and close existing accounts, to open, maintain and close other accounts, and to make deposits, transfers and withdrawals with respect to all such accounts, and to buy, sell, endorse, and trade any and all stocks, bonds, or other securities, on behalf of the Principal.
 - d. **United States Treasury Bonds.** The attorney in fact shall have the authority to purchase United States Treasury Bonds, which may be redeemed at par in payment of federal estate tax.
 - e. **Monies Due.** The attorney in fact shall have authority to request, demand, recover, collect, endorse and receive all monies, debts, accounts, gifts, bequests, dividends, annuities, rents and payments due the Principal.
 - f. **Claims Against Principal.** The attorney in fact shall have authority to pay, settle, compromise or otherwise discharge any and all claims of liability or indebtedness against the Principal and, in so doing, use any of the Principal's funds or other assets or use funds or other assets of the attorney in fact and obtain reimbursement out of the Principal's funds or other assets.
 - g. **Legal Proceedings.** The attorney in fact shall have authority to participate in any legal action in the name of the Principal or otherwise. This shall include (1) actions for attachment, execution, eviction, foreclosure, indemnity and any other



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proceeding for equitable or injunctive relief and (2) legal proceedings in connection with the authority granted in this instrument.

- h. **Written Instruments.** The attorney in fact shall have the power and authority to sign, seal, execute, deliver and acknowledge all written instruments and do and perform each and every act and thing whatsoever which may be necessary or proper in the exercise of the powers and authority granted to the attorney in fact as fully as the Principal could do if personally present.
- i. **Safe Deposit Box.** The attorney in fact shall have the authority to enter any safe deposit box in which the Principal has a right of access.
- j. **Transfers to Trust.** The attorney in fact shall have the authority to transfer assets of all kinds to the trustee of any trust which is for the sole benefit of the Principal and which terminates at the Principal's death with the property distributable to the personal representative of the Principal's estate. The attorney in fact may establish a living trust for the benefit of the Principal and/or the Principal's spouse and transfer to that trustee named in any living trust any or all assets owned by the Principal wheresoever located, provided that said living trust distributes any and all property owned by the Principal in a manner consistent with other existing estate planning documents, including Wills and Community Property Agreements.
- k. **Disclaimer.** The attorney in fact shall have the authority to disclaim any interest, as defined in state or Federal law, in any property to which the Principal would otherwise succeed, and to decline to act or resign if appointed or serving as an officer, director, executor, trustee or other fiduciary.
- l. **Health Care Decisions.** The attorney in fact shall have immediate authority to make health care



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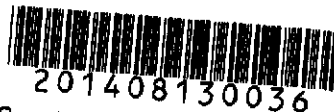
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decisions for the Principal and to provide informed consent to health care on behalf of the Principal as provided in Washington law.

- m. **Authority for Release Under HIPAA.** I hereby authorize the named attorney in fact to obtain the release of any information subject to the provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. § 1320d and 45 CFR §§ 160-164 and the attorney in fact should be treated as though the attorney in fact is the above named principal for the purposes of releasing the information requested.
- n. **HIPAA.** My attorneys in fact shall have all authority necessary to access all my medical records in compliance with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") or any law which shall replace or supplement such law which now is 42 U.S.C. § 1320d and 45 CFR §§ 160-164.
- o. **Internal Revenue Service.** The attorney in fact shall be authorized to sign on the principal's behalf any and all federal income tax returns for the years 1950-2050, or other federal Internal Revenue Service form, and further authorizes the attorney in fact to receive, endorse and cash any and all refund checks issued by the Internal Revenue Service.
- p. **Gifts.** The attorney in fact may make gifts to the attorney in fact for his health, education, maintenance and support, and others. Any such gift shall be as valid as if the Principal had made such gift.
- q. **Revocations.** The attorney in fact shall have all the powers listed under RCW 11.94.050(1), including the power to revoke or change any **life insurance beneficiary designations or estate planning or testamentary documents** previously executed by me (other than a will or codicil), including **community property** agreements, if deemed appropriate by my



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attorney in fact, for the purpose of preserving my estate from the cost of long-term care or from any claims against my estate by any entity which has provided me with coverage for medical or long-term care services, or any other reason, provided that any such changes be reasonably consistent with my previously executed estate plan.

r. **Qualification.** The attorney in fact may make transfers of resources to qualify the principal for medical assistance, medicare, medicaid or to avoid estate recovery related to such programs whether outright or in trusts or gifts to the attorney in fact or to family members or others.

4. **TERMINATION.** This power of attorney may be terminated by: (a) the Principal by written notice to the attorney in fact and, if this power of attorney has been recorded, by recording the written instrument of revocation in the office of the recorder or auditor of the place where the power was recorded; (b) a Guardian of the estate of the Principal after court approval of such revocation; or the death of the Principal upon actual knowledge or receipt of written notice by the attorney in fact.

5. **GUARDIAN.** If it becomes necessary to appoint a guardian of the Principal's person or estate, the Principal hereby nominates the attorney in fact. If the attorney in fact refuses to serve, then the alternate attorney in fact is nominated to serve in that capacity. 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.



6. **ACCOUNTING**. Upon request of the Principal or the Guardian of the estate of the Principal or the personal representative of the Principal's estate, the attorney in fact shall account for all actions taken by the attorney in fact for or on behalf of the Principal.

7. **RELIANCE**. Any person acting without negligence and in good faith in reasonable reliance on this power of attorney shall not incur any liability thereby. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs and personal representatives of the Principal.

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

9. **REVOCATION OF PRIOR POWER OF ATTORNEY**. All prior designations of attorney in fact are hereby revoked and all power given to any such person or persons in any prior Durable Power of Attorney is hereby terminated.

10. **APPLICABLE LAW**. The laws of the state of Washington shall govern this power of attorney.

11. **TIME ELAPSED**. The length of time which has elapsed from the date of the execution of this Durable Power of Attorney shall not prevent anyone from reasonably relying on the document.

12. **RECORDING**. It shall not be a requirement that this Durable Power of Attorney be filed or recorded of record to be effective. Any person may place reasonable reliance on this Durable Power of Attorney regardless of whether or not it is so filed and/or recorded.

13. **ENFORCEMENT**. A petition may be filed in the Superior Court by any interested person to compel a third party to honor the



That we then and there, in the presence of the said Principal and each other, subscribed our names as witnesses to said instrument.

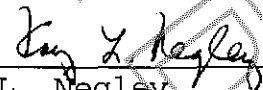
At the time of executing said instrument, the Principal was of the age of majority and was of sound and disposing mind and not acting under duress, menace, fraud, undue influence or misrepresentation.

This Affidavit is made at the request of the Principal.

I certify that I know or have satisfactory evidence that ARNOLD D. (ARNIE) KJARSTAD is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

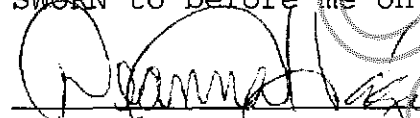


John W. Hicks



Kay L. Negley

SUBSCRIBED AND SWORN to before me on November 8, 2011.



Printed name: Deanna Hagg
Notary Public in and for the State of
Washington, residing at Anacortes.
My appointment expires: 10-13-2012.

