

COPY

**Land Title and Escrow**



201805030064

Skagit County Auditor

\$78.00

5/3/2018 Page

1 of

5 3:13PM

Document Title:

POWER OF ATTORNEY

Reference Number: 03-165961-OE ✓

Grantor(s):

additional grantor names on page \_\_\_.

1. PATRICIA A CARTER

2.

Grantee(s):

additional grantee names on page \_\_\_.

1. TIMOTHY R. CARTER

2.

Abbreviated legal description:

full legal on page(s) \_\_\_.

LOT 2, SP MV-8-90, AF #9007270061; BEING A PTN E1/2 NW 1/4, 22-34-4

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page \_\_\_.

P90542

**AFTER RECORDING RETURN TO:**

David B. Sweeney  
SMITH & ZUCCARINI, P.S.  
2155 - 112<sup>th</sup> Ave. NE  
Bellevue, WA 98004

**DURABLE GENERAL POWER OF ATTORNEY**

1. Designation and Powers. I, PATRICIA A. CARTER, as principal, do hereby appoint my son, TIMOTHY R. CARTER, as my attorney-in-fact with full power and authority to do and perform all acts in my place and stead as fully as I might do and perform such acts as principal, including but not limited to all acts in regard to the sale, purchase, lease, hypothecation, exchange and conveyance of all assets and property, whether real, personal, mixed, tangible or intangible. Specifically included within this general authority, and not by way of limitation (except as specifically provided) thereon, shall be the following powers:

1.1 To provide for my support, maintenance, health and comfort, including but not limited to the receipt of funds to which I may be entitled and making disbursements from my assets.

1.2 To deal in all respects with banks, brokerage houses, mutual funds and other financial and investment institutions and organizations, including, but not by way of limitation, authority over all accounts and deposits, and access to any safe deposit box, held in my name; and to have general authority with respect to real property, including the matters set forth in RCW. 11.125.270.

1.3 To prepare, execute and file on my behalf any returns or other documentation required by the Internal Revenue Service or taxing authority and to take all actions and execute all documents on my behalf which my attorney-in-fact deems reasonable to resolve any issue concerning taxes allegedly owed by me.

1.4 To revoke any and all community property agreements and to transfer any right, title or interest I may have in any assets or property, including but not limited to community property, to my spouse or any of my children as a gift or otherwise, for the purpose of qualifying me for any public or private medical assistance, including but not limited to Medicaid, a limited casualty program for the medically needy.

1.5 To make gifts on my behalf each year consistent with my previous gifting activity; and, in addition, to make gifts, not in excess of the annual exclusion provided by Section 2503(b) of the Internal Revenue Code of 1986, as amended from time to time (or successor statute of like import), to any of my children and grandchildren.

1.6 To disclaim all or any assets, property or interest to which I might otherwise be entitled as beneficiary, to release in whole or in part any power of appointment I may possess, and to exercise in any way any general power of appointment I may possess.

1.7 To participate in any legal action in my name or otherwise.

1.8 To provide for my support, maintenance, health and urgent necessities, including full authority to provide informed consent on my behalf for health care or medical treatment (pursuant to RCW 7.70 and 11.94.010(3) when I am unable to do so, and to act as my guardian in such circumstances. If I must be hospitalized or placed in a nursing home or similar facility, I intend to return to my home as soon as practicable and reasonable. I authorize my attorney-in-fact (a) to request, receive and review any information, verbal or written, regarding my personal affairs or my 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; and (c) to disclose such information to such persons, organizations, firms or corporations as my attorney-in-fact deems appropriate.

2. Effectiveness. The authority conferred by this power of attorney is effective immediately and shall remain in effect until revoked in writing by me or by my legal guardian; provided, however, that any person or entity relying in good faith upon the authority of my attorney-in-fact under this document, whether or not it has been revoked or amended, or any representation made by my attorney-in-fact regarding the existence of my attorney-in-fact's powers; the scope of my attorney-in-fact's powers; my competence or capability at the time this document is executed or later or that this document has not been revoked or amended or that my attorney-in-fact continues to serve as my attorney-in-fact, shall not incur any liability to me, my estate or my heirs, successors or assigns because of or resulting from such reliance.

3. Accounting. My attorney-in-fact shall keep a reasonable record of actions taken, including but not limited to a record of all funds received and disbursements made, on my behalf. My attorney-in-fact shall be reimbursed for all costs and expenses reasonably incurred, and shall be entitled to receive at least annually, without court approval, reasonable compensation for services performed on my behalf but my attorney-in-fact may waive this right to compensation from time to time.

4. Exculpation. My attorney-in-fact is hereby held harmless and indemnified by me and my estate for acts and omissions done in good faith in furtherance of the powers hereby conferred and responsibilities hereby imposed upon my attorney-in-fact, provided, however, that this hold harmless and indemnity shall not extend to acts or omissions constituting fraud, gross negligence or intentional wrongdoing.

5. Successor. If for any reason my original attorney-in-fact heretofore named declines, resigns, fails or for any reason does not serve as my attorney-in-fact, I hereby appoint STEPHEN J. CARTER to be my attorney-in-fact hereunder, with all of the rights and powers of the original attorney-in-fact and with full power of substitution in the premises.

6. Guardian. If a guardian of my person or estate is to be appointed, I hereby nominate TIMOTHY R. CARTER to serve as my guardian, but if such nominee declines, resigns, fails, or for any reason does not serve as such guardian, I nominate STEPHEN J. CARTER to serve as my guardian.

7. Durable Nature. All acts done by my attorney-in-fact during any period of my disability, incompetence or incapability, or uncertainty as to whether I am dead or alive, disabled or able, incompetent or competent, incapable or capable, shall have the same effect and inure to my benefit and bind me, my guardian, heirs, devisees and Personal Representative, regardless of such condition or status. This power of attorney shall not be affected by the disability of me, the principal.

8. Expiration. Unless this Durable General Power of Attorney is revoked at an earlier date by a written document signed by the principal, this Durable General Power of Attorney shall expire upon the occurrence of any of the following: commencement of dissolution proceedings involving the appointment of a guardian of the principal's person and estate, or the death of the principal.

9. Revocation. Any and all earlier powers of attorney which I may have executed are hereby revoked.

DATED at Bellevue, Washington, March 27, 2018.

\_\_\_\_\_  
PATRICIA A. CARTER  
*Patricia A. Carter*

