

When recorded return to:
Janice E Gourley
4831 Fauntleroy Way SW 104
Seattle, WA 98116

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

425 Commercial St
Mount Vernon, WA 98273

Escrow No.: 620058305

DOCUMENT TITLE(S)

Durable Power of Attorney

CHICAGO TITLE
620058305

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: _____

Additional reference numbers on page _____ of document

GRANTOR(S)

Janice E. Gourley

☐ Additional names on page _____ of document

☐ Additional names on page _____ of document

GRANTEE(S)

Kenneth Jenkins

☐ Additional names on page _____ of document

☐ Additional names on page _____ of document

ABBREVIATED LEGAL DESCRIPTION

LT 42, MONTREAU PHASE 1, REC NO. 200707230124

Complete legal description is on page _____ of document

TAX PARCEL NUMBER(S)

P126435 / 4935-000-042-0000

Additional Tax Accounts are on page _____ of document

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements

DURABLE POWER OF ATTORNEY

1. **Designation.** JANICE E. GOURLEY, (the "Principal") hereby revokes any and all Powers of Attorney executed before this date and designates KENNETH JENKINS as attorney-in-fact for the Principal. If he is unable or unwilling to serve the Principal nominates RONALD JENKINS instead.

2. **Effectiveness; Duration.** This power of attorney shall become effective immediately, shall not be affected by the incompetence of the Principal, and shall continue until revoked or terminated under Section 5, notwithstanding any uncertainty as to whether the Principal is dead or alive.

3. **Powers.** The attorney-in-fact shall have all 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 powers and authority specified below, and all powers set forth in RCW 11.125 *et. seq.* unless otherwise prohibited herein:

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

3.2 **Personal Property.** The attorney-in-fact shall have the authority to purchase, receive, take possession of, lease, sell, assign, endorse, exchange, release, mortgage and pledge personal property or any interest in personal property.

3.3 **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, Individual Retirement Accounts and custodians; annuities, and 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.

3.4 **Stocks, Bonds, and Financial Instruments.** The attorney-in-fact shall have the authority to:

- (1) Buy, sell, and exchange stocks, bonds, and financial instruments;
- (2) Establish, continue, modify, or terminate an account with respect to stocks, bonds, and financial instruments;
- (3) Pledge stocks, bonds, and financial instruments as security to borrow, pay, renew, or extend the time of payment of a debt of the principal;

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(4) Receive certificates and other evidences of ownership with respect to stocks, bonds, and financial instruments;

(5) Exercise voting rights with respect to stocks, bonds, and financial instruments in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote;

(6) Buy, sell, exchange, assign, settle, and exercise commodity futures contracts and call or put options on stocks or stock indexes traded on a regulated option exchange; and

(7) Establish, continue, modify, and terminate option accounts.

3.5 Moneys Due. The attorney-in-fact shall have the authority to request, demand, recover, collect, endorse and receive all moneys, debts, accounts, gifts, bequests, dividends, annuities, rents and payments due the Principal.

3.6 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.

3.7 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 the power to:

(1) Assert and maintain before a court or administrative agency a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief;

(2) Bring or defend an action to determine adverse claims or intervene or otherwise participate in litigation;

(3) Seek an attachment, garnishment, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree;

(4) Make or accept a tender, offer of judgment, or admission of facts, submit a controversy on an agreed statement of facts, consent to examination, and bind the principal in litigation;

(5) Submit to alternative dispute resolution, settle, and propose or accept a compromise, subject to special proceeding rule 98.16W;

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(6) Waive the issuance and service of process upon the principal, accept service of process, appear for the principal, designate persons upon which process directed to the principal may be served, execute, and file or deliver stipulations on the principal's behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, receive, execute, and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation;

(7) Act for the principal with respect to bankruptcy or insolvency, whether voluntary or involuntary, concerning the principal or some other person, or with respect to a reorganization, receivership, or application for the appointment of a receiver or trustee which affects an interest of the principal in property or other thing of value;

(8) Pay a judgment, award, or order against the principal or a settlement made in connection with a claim or litigation; and

(9) Receive money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

3.8 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.

3.9 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.

3.10 Transfers to Trust. The attorney-in-fact shall have the authority to transfer assets of all kinds to the trustee of any trust which;

(1) is for the sole benefit of the Principal as to the Principal's separate property or

(2) is for the sole benefit of the Principal and the Principal's spouse as to their community property, and which terminates at the Principal's death as to the Principal's property with the Principal property distributable to the personal representative of the Principal's estate.

3.11 Disclaimer. The attorney-in-fact shall have the authority to disclaim any interest, as defined in RCW 11.86.010., in any property to which the Principal would otherwise succeed.

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3.12 Medical Decisions. The attorney-in-fact is authorized to act as the principal's personal representative pursuant to the health insurance portability and accountability act, sections 1171 through 1179 of the social security act, 42 U.S.C. Sec. 1320d, as amended, and applicable regulations for all purposes thereunder, including but not limited to accessing and acquiring the principal's health care related information. The attorney-in-fact also granted the power to consent to or withhold medical care provided that my physician has determined that I am unable to make such decisions for myself and provided further that such power is strictly subject to any directive to physicians I have executed now or hereafter and presented to my Attorney-in-fact and or my Primary Care Physician.

4. Limitations on Powers. Notwithstanding the foregoing, the attorney-in-fact shall not have the authority to make, amend, alter, revoke or change any life insurance policy, employee benefit, or testamentary disposition of the Principal's property or to make any gifts of such property or to exercise any power of appointment. This limitation shall not affect the authority of the attorney-in-fact to disclaim an interest.

5. Termination. This power of attorney may be terminated by;

(1) 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.

(2) A Guardian of the estate of the Principal after court approval of such revocation; or;

(3) the death of the Principal upon actual knowledge or receipt of written notice by the attorney-in-fact.

6. Accounting. Upon request of the Principal or the Guardian of the estate or 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 the 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. Nomination of Guardian. The Principal nominates KENNETH JENKINS as guardian of the Principal's estate and as guardian of the Principal's person if protective proceedings for the Principal's person or estate are ever commenced.

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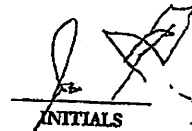
10. **Applicable Law.** The laws of the State of Washington shall govern this power of attorney.

11. **Pronouns.** As used herein the masculine shall refer to the feminine, the singular the plural, etc. as the context so requires.

DATED this 11 day of Dec, 20 18.


JANICE E. GOURLEY

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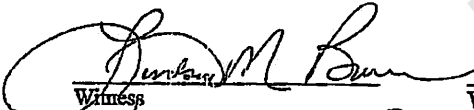

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STATE OF WASHINGTON)
) ss
 COUNTY OF SKAGIT)

We who have as witnesses signed below say under penalty of perjury:

Each of us is of legal age and competent to be a witness. We are neither home care providers for the principal nor care providers at an adult family home or long-term care facility in which the principal resides, and we are unrelated to the principal or agent by blood, marriage, or state registered domestic partnership. On the date shown immediately above, JANICE E. GOURLEY declared in our presence the foregoing instrument to be her Power of Attorney, signed it in our presence, and requested that we sign as witnesses to the Power of Attorney and that we make this affidavit. Each of us then in the presence of the Principal, and each other, did sign below as witness to the Power of Attorney and did make this affidavit. JANICE E. GOURLEY appeared to be of sound mind, of legal age, and not under duress.

SIGNED AND SWORN or AFFIRMED to before me on this 11 day of Dec, 2011 by

 Witness	 Witness
<u>Lindsay M. Bonn</u> Printed Name	<u>Jeff Mitcham</u> Printed Name
<u>MC, WA</u> Residing in (City, State)	<u>Sedro Woolley, WA</u> Residing in (City, State)

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NOTARY CERTIFICATION

I certify that I know or have satisfactory proof that JANICE E. GOURLEY and each of the persons named above as witnesses, namely

Joseph D. Boren and *Jeff Mitchem*
appeared on the date indicated and affixed his/her signature to this document for the uses and purposes expressed herein.

DATED THIS 11th day of December, 2018.



Joseph D. Boren
Notary Public in and for the State
of Washington.
Residing at: Mount Vernon

**DURABLE POWER OF ATTORNEY FOR JANICE E.
GOURLEY -/-**

J. E. Gourley
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