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WHEN RECORDED RETURN TO:

Patrica Vandlac
c/o Ronald Vandlac
24948 SW Ladd Hill Rd
Sherwood, OR 97140

DOCUMENT TITLE(S):
Durable Financial/Property Power of Attorney

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

PRINCIPAL:
Patricia Vandlac

PRIMARY AGENT:
Ronald Vandlac

ABBREVIATED LEGAL DESCRIPTION:
Lot 4, SPARR'S 4TH ADDITION

TAX PARCEL NUMBER(S):
P72818/4093-000-004-0006

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DURABLE FINANCIAL/PROPERTY POWER OF ATTORNEY OF PATRICIA D. VANDLAC

I, **Patricia D. Vandlac**, the undersigned individual, domiciled and residing in the State of Washington, designate the following named person(s) as Primary Agent and Alternate Agent(s) to act for the undersigned as the Principal.

I. ESTABLISHMENT

(A) **Revocation of Prior:** I, Patricia D. Vandlac, the Principal, hereby revoke any prior Power of Attorney or amendment thereto made by me for financial and property decisions.

(B) **Designation:** My son, RONALD C. VANDLAC is designated as Primary Agent for the Principal. His address is 24948 SW Ladd Hill Road, Sherwood OR 97140. His phone number is 503-939-7460. If he is unwilling or unable to act as Primary Agent for the Principal, then, my daughter, LINDA A. SMITH, is designated as Alternate Agent. Her address is 1901 Sunset Street, Burlington WA 98233. Her phone number is 360-757-6733.

(C) **Effectiveness:** This Power of Attorney shall become **effective immediately.**

II. POWERS

(A) **Financial and Property Decisions:** The Agent, as fiduciary, shall have all powers of an absolute owner over the assets and liabilities of the Principal, whether located within or without of the State of Washington. Without limiting the powers herein, the Agent shall have full power, right and authority to sell, lease, rent, exchange, mortgage and otherwise deal in and with any and all property, real or personal, belonging to the Principal the same as if he/she were the absolute owner thereof. In addition, the Agent shall have specific powers including, but not limited to the following:

(i) Real Property: The Agent shall have authority to purchase, take possession of, rent, lease, sell, convey, exchange, release and encumber real property or any interest in real property.

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(ii) Personal Property: The Agent 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.

(iii) Securities: The Agent shall have the authority to exercise any and all rights in securities, either held in Principal's name or in the name of any brokerage firm in which Principal has an account, including but not limited to the power to buy, sell, hold, exchange, borrow against, demand and receive dividends or securities, and vote the shares thereof.

(iv) Property Status: The Agent shall have the authority to establish, amend or revoke any agreements as to status of property, including community property agreements, joint tenancy agreements, and tenants in common agreements.

My Agent shall have the power to make, amend or revoke any community property agreement previously executed by me and the power to enter into an agreement to change the character of my property or my spouse's property from community property to separate property.

(v) Insurance: The Agent shall have the authority to purchase, maintain, surrender, collect or cancel insurance or annuities of all kinds, including but not limited to life insurance, liability insurance, hospital insurance, medical insurance, Medicare supplement insurance, disability income insurance and long-term care insurance, and to borrow against any such policies of insurance.

(vi) Beneficiary Designations: The Agent shall have the authority to make, amend, alter or revoke any of the Principal's life insurance beneficiary designations and retirement plan beneficiary designations so long as, in the sole discretion of the Agent, such action would be in the best interest of the Principal and those interested in the Principal's estate.

(vii) Claims Against Principal: The Agent 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 assets of the Agent and obtain reimbursement out of the Principal's funds or other assets.

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(viii) Legal Proceedings: The Agent shall have authority to participate in any legal action in the name of the Principal or otherwise. This shall include (a) actions for attachment, execution, eviction, foreclosure, indemnity and any other proceeding for equitable or injunctive relief; and (b) legal proceedings in connection with the authority granted in this instrument.

(ix) Bonds: The Agent shall have the authority to purchase United States of America Treasury bonds which may be redeemed at par in payment of any federal estate tax which will be imposed upon my estate.

(x) Government Receipts: The Agent shall have the authority to act as representative payee for Social Security and other government benefits.

(xi) Establishment of Trusts: The Agent shall have authority to establish, amend or revoke any trust, inter vivos or irrevocable, in the name of Principal as Settlor the same as if he/she were the absolute owner and settlor thereof, and transfer real or personal property of Principal into or out of such trust. This shall not be deemed a power of appointment.

(xii) Transfers to and from Trust: The Agent shall have the authority to make transfers of the Principal's property, both real and personal, to or out of any trust created by the Principal of which the Principal is the primary beneficiary during the Principal's lifetime.

(xiii) Tax Matters: The Agent shall have authority to perform with respect to all matters concerning the Internal Revenue Service, including but not limited to federal income, gift, estate and generation-skipping tax matters, such as: (a) income tax matters such as making, executing, and filing refund claims and representing me in audits, conferences and litigation; (b) federal gift tax matters, including making, executing, filing and amending Form 709; (c) federal unified credit or generation-skipping tax matters, including making, executing, filing and amending forms relating to the tax, making executing and filing refund claims, receiving refund checks, and representing me in audits, conference, and litigation; completing and filing of IRS Form 2848 (Power of Attorney) or others as deemed necessary.

(xiv) Disclaimer: The Agent shall have the authority to disclaim any interest, as defined in RCW 11.86.011, in any property to which the Principal would otherwise succeed, by Will, community property agreement or otherwise

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and to decline to act or resign if appointed or serving as an officer, director, executor, trustee or other fiduciary.

(xv) Tax Planning - Specific Powers: Subject to the criterion and limitations stated herein, such tax reduction powers shall include the power to disclaim; the power to create trusts, partnerships, limited liability companies, corporations or other entities as are appropriate to the exercise of this power; the power to make gifts of my assets including gifts of interests resulting from the formation of entities as allowed herein; further provided that such gifts shall not exceed the annual gift tax exclusion allowed by the Internal Revenue Code at the time such gift is made unless the Agent determines that such gift or gifts are in my best interest in minimizing my unified gift and estate tax liability. In making such gifts, the Agent shall consider the pattern of giving established by me, the ability to continue to make such gifts, my continued health and well being, the potential reduction of estate tax upon my death and other estate planning considerations.

(xvi) Estate Settlement: The Agent shall have the authority to take action necessary to assure that property passes according to my estate plan, in consultation with and concurrence of my then acting attorney, with respect to any assets, accounts or policies that pass outside of probate upon my death, including but not limited to assets held as joint tenants with rights of survivorship, tenants in common, or tenants by entirety.

(xvii) Gifting Power: The Agent shall have the power to make gifts, whether outright or in trust, during the Principal's lifetime which are consistent with the most current Will executed by or on behalf of the Principal or testamentary provisions of the most current inter vivos trust executed by or on behalf of the Principal. This shall not be deemed a power of appointment.

(xviii) Financial Accounts; Safe Deposit Box: The Agent shall have authority to deal with accounts maintained by me or on my behalf with financial institutions as defined in RCW 30.22.040 (including, without limitation, banks, securities dealers, credit unions and savings and loan associations), which shall include the authority to maintain and close existing accounts, to open, maintain and close other accounts, to sell or transfer stocks, bonds and other securities owned by me, and to make deposits, transfers and withdrawals with respect to all such accounts and to enter any safe deposit

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box to which I have a right of access and deposit or remove property therefrom.

(xix) Transfer of Assets: The Agent shall have the authority to make any transfer of resources not prohibited under RCW Chapter 74.09, as now or hereafter amended or recodified, when the transfer is for the purpose of qualifying me for medical assistance or a limited casualty program for the medically needy, or for the purpose of preserving for my spouse, other relative or domestic partner, the maximum amount of property allowed under applicable law if an application has been made for governmental medical assistance, or in anticipation of such application.

(xx) Written Instruments: The Agent shall have the authority to sign, execute, deliver and acknowledge all written instruments or any other documents whatsoever which may be necessary or proper in the exercise of the powers and authority granted as fully as I could do if personally present.

(xxi) Further Specifics: The Agent shall have authority to specify powers as may be required by statute, rule, decision or otherwise to be stated in the specific rather than the general, or as may be helpful to him/her in performing any powers or responsibilities under this Power of Attorney. It is the intent and desire of the Principal that the Agent have each and every power not proven by clear and convincing evidence to have been denied by Principal.

(xxii) Special Agent: In the event an exercise of power by the Agent might raise a question of conflicting interest or self-dealing, the Agent shall have authority to appoint a Special Agent for the purpose of that exercise. The Special Agent shall be governed by the general criteria and limitations hereof, and exercise independent judgment as to whether the nature of the exercise is sufficiently fiduciary in nature. The Special Agent shall not be a person who stands to gain, directly or indirectly, by the exercise of powers in question (other than as reasonable compensation for the appointed services). The Special Agent shall have the power to designate, without court proceeding, an alternate Special Agent, when and if the foregoing designee is unable or unwilling to serve. Any such designation shall be in writing and acknowledged.

(xxiii) Enforcement: My Agent shall have the authority to seek appropriate court orders mandating acts which my Agent deems appropriate if a third party

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refuses to comply with decisions by my Agent which are authorized by this document, or enjoining acts by third parties which my Agent has not authorized. In addition, my Agent may bring legal action against any third party who fails to comply with actions I have authorized my Agent to take and demand damages, on my behalf for such noncompliance.

(xxiv) Health Care Amounts: The Agent shall not withhold from Principal's representative for medical/health care any reasonable amounts said representative considers necessary to fulfill health care needs or duties to the Principal.

(xxv) Digital Access: The Agent shall have access, use and control of the Principal's digital devices for the purposes of accessing, modifying, deleting, controlling, or transferring digital assets, and the power to access, modify, delete, control, and transfer the Principal's digital financial accounts, digital assets, including but not limited to, the Principal's emails received, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, domain registrations, DNS service accounts, web hosting accounts, tax preparation service accounts, online stores, affiliate programs, other online accounts, and similar digital items which currently exist or may exist as technology develops, and the power to obtain, access, modify, delete, and control the Principal's passwords and other electronic credentials associated with the Principal's digital devices and digital assets described above.

(xxvi) Statutory: The Agent shall have all authorities referenced in RCW 11.125.260 – 11.125.410.

III. LIMITATIONS

Intent: These limitations shall not affect the authority of my Agent to disclaim any interest. I intend to avoid having any of the herein powers interpreted as a general power of appointment, causing inclusion of my property in the estate of my Agent. Except as provided by the Special Agent, the Agent is specifically, but without limitation, proscribed from exercising a general power of appointment:

(i) Revoking or changing the testamentary provisions of any estate planning documents previously executed by the Principal, except as specifically provided herein:

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(ii) Using my assets for my Agent's own legal obligations, including but not limited to support of the Agent's dependents, except as authorized by the Special Agent;

(iii) Exercising any trustee powers under an irrevocable trust of which my Agent is a settlor and the Principal is the trustee;

(iv) Exercising incidents of ownership over any employer benefit, retirement or life insurance policies which the Principal owns on the life of my Agent.

In addition, if my Agent is not my spouse, who is living, the following powers granted in (v) through (viii) are to be exercised only during the life of the Agent, and only with the consent of one or more of the following: a child of mine, the Special Agent, and/or the alternate Agent named herein:

(v) To transfer property to other family members even if the recipient is my Agent, for purposes of allowing me to qualify for benefits to which I may be legally entitled from any governmental or non-governmental agency providing service or benefits to the aged, handicapped or disabled persons, including but not limited to, long term care benefits of Social Security, Medicare, or Medicaid.

(vi) To transfer my home to my spouse or to my Agent, to use or sell any assets I have to generate cash to pay down any mortgage on my home, to make improvements to the home for the purpose of making the mortgage payment affordable, or to legally decrease the amount of non-exempt assets I or my spouse own, increasing the amount of the exempt assets, for the purpose of legally preserving the family home for our intended beneficiaries.

(vii) To make any gifts for purposes of estate planning consistent with my estate planning objectives as understood by my Agent, and specifically for the purpose of reducing the size of my taxable estate.

(viii) To make direct payments to the provider for tuition and medical care for the Principal's issue under the Internal Revenue Code or any other statute, which excludes such payments from gift tax liability, to the extent such payments constitute qualified transfers.

IV. GENERAL PROVISIONS

(A) HIPAA and other information. Doctors are hereby authorized and directed to release information about me and/or communicate with my designated Agent or

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others in the course of determining whether I have become or continue to be incapacitated under this article, and I hereby waive the Health Insurance Portability and Accountability Act (HIPAA) and other privacy rights to the extent inconsistent with this authority and direction.

(B) **Reliance**: The designated and acting Agent and all persons dealing with the Agent shall be entitled to rely upon this Power of Attorney so long as neither the Agent nor any person with whom she or he was dealing at the time of any act taken pursuant to the Power of Attorney had received actual knowledge or actual notice of any revocation, suspensions, or termination of the Power of Attorney by death or otherwise. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the Principal.

(C) **Indemnity**: The estate of the Principal shall hold harmless and indemnify the Agent and Special Agent from all liability for acts done in good faith and not in fraud of the Principal, including, without limitation, any costs and attorney's or other fees incurred.

(D) **Termination**:

(i) By Principal: This Power of Attorney may be amended, revoked, suspended, or terminated by the Principal when competent, upon actual or written notice to any duly acting Agent, and if the Power of Attorney has been recorded with notice to the Principal, upon recording the later notice with the Auditor of the county where the Power of Attorney is recorded.

(ii) By Appointment of Guardian: The court appointment of a guardian of the estate of the Principal vests in the guardian the power to revoke, suspend or terminate this Power of Attorney as to the powers enumerated herein, but only with the Court's specific approval. As stated in subsection (D) of Section I herein, it is the Principal's intent that this document obviates any need for guardianship.

(iii) By Death of Principal: The death of the Principal shall be deemed to revoke this Power of Attorney upon actual knowledge or written notice being received by the Agent, subject to subsection (E) of Section I.

(E) **Accounting**: The Agent shall keep accurate records of my financial affairs, including documentation of all transactions in which the Agent is involved. Upon request, the Agent shall be required to account for all actions taken by her/him to me when I am competent, any subsequently appointed Agent, any successor

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Agent acting in such capacity, any guardian of my estate or to any subsequently appointed personal representative of my estate.

(F) **Compensation**: The Agent shall be reimbursed from the Principal's estate for all costs and expenses reasonably incurred in such capacity and shall receive, at least annually, such reasonable compensation for services performed as Agent or Guardian as is customarily charged in the community for like services. The Agent is further authorized and encouraged, when said Agent deems it desirable or necessary, to employ others to aid in the management of my assets, or the exercise of powers pursuant to this Power of Attorney, including, but not limited to, lawyers, accountants, financial advisors, physicians or other appropriate persons, and to compensate them, from the Principal's estate.

(G) **Applicable Law**: The applicable provisions of the Revised Code and laws of Washington, as they exist now or as they are hereafter amended, shall govern this Power of Attorney.

(H) **Partial Invalidity**: If any provisions of this document are determined to be ineffective, such provisions shall be deemed stricken from this document to that extent, and all other provisions shall remain in full force and effect.

(I) **Copies**: A photocopy or facsimile of the signed original hereof, shall be considered and relied upon as fully as the original or a certified copy of the same.

V. RELIANCE BY THIRD PARTIES

I agree that any third party who receives a copy of this document may act under it. Revocation of this Power of Attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance upon this Power of Attorney.

I have reviewed the foregoing Durable Financial/Property Power of Attorney and do hereby adopt the same, and request that the present witnesses attend this signature of mine and swear to the attached affidavit.

Dated this 5th day of May, 2021.

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PATRICIA D. VANDLAC

STATE OF WASHINGTON)
) **ss:**
COUNTY OF SKAGIT)

I hereby certify that I know, or have satisfactory evidence, that PATRICIA D. VANDLAC is the person who appeared before me, and said person acknowledged that she signed this Durable Financial/Property Power of Attorney and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this Durable Financial/Property Power of Attorney.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of May, 2021, at Mount Vernon, Washington.

Rita-Marie Maroun Tarraf
Notary Public
State of Washington
My Appointment Expires 11/01/2023
Commission Number 20100296

Rita-Marie Maroun Tarraf
Notary Public in and for the State of Washington, residing at Bellingham.
My appointment expires on 11-01-2023

WITNESS: Rose Townsend
Address: Burlington

WITNESS: Debbie Maxson
Address: Sedro Woolley

STATE OF WASHINGTON)
) **ss:**
COUNTY OF SKAGIT)

The undersigned subscribing and attesting witnesses, competent to testify, being first duly sworn, upon oath each deposes and says:

1. **Relationship.** I am not related to the Principal by blood, marriage, or adoption, and would not be entitled to any portion of the estate of Principal at this time. I am not a claimant or otherwise entitled to any portion of Principal's estate. I am not Principal's attending physician or the employee of a medical or health care provider of Principal.

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2. Declaration. On this date last below stated, the person known to each of us to be PATRICIA D. VANDLAC declared the attached instrument, to be her Durable Financial/Property Power of Attorney.

3. Signature, Attestation, and Subscription. Immediately following the said declaration, PATRICIA D. VANDLAC requested the other witness and me to act as witnesses to her Durable Financial/Property Power of Attorney, and then, in the presence of each of the undersigned and each other, PATRICIA D. VANDLAC did sign said Durable Financial/Property Power of Attorney.

4. Competency. At the time of PATRICIA'S declaration and signing of the attached Durable Financial/Property Power of Attorney, she appeared to be of sound and disposing mind and not to be acting under duress, misinformation, or undue influence. Each of the other subscribing and attesting witnesses appeared to be competent and each of the undersigned state, for themselves that they are now competent.

5. Request. After the above declaration, signature, attestation and signature, PATRICIA D. VANDLAC requested that each of the undersigned make this Affidavit in proof of her attached Durable Financial/Property Power of Attorney.

6. The other witness and I, in the presence of the Principal and of each other, and at PATRICIA'S request, now affix our signatures as witness to the Durable Financial/Property Power of Attorney and make this Affidavit.

WITNESS: Rose Tjeerdsma
Address: Burlington

WITNESS: Debbie Maxson
Address: Sedro Woolley

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

I hereby certify that I know or have satisfactory evidence that Rose Tjeerdsma and Debbie Maxson are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

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IN WITNESS WHEREOF, I hereunto set my hand this 5th day of May, 2021, at Mount Vernon Washington.

Rita-Marie Maroun Tarraf
Notary Public
State of Washington
My Appointment Expires :11/01/2023
Commission Number 20100256

Rita-Marie Maroun Tarraf
Notary Public in and for the State of Washington, residing at Bellingham.
My appointment expires on 11-01-2023.

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