

After recording, please return to:

Aaron M. Rasmussen
Attorney at Law
1101 Eighth Street, Suite A
Anacortes, Washington 98221



201104140041
Skagit County Auditor

4/14/2011 Page 1 of 5 10:47AM

Document Title:

Durable General/Financial Power of Attorney

Reference Number :

Grantor(s):

additional grantor names on page ____.

1. Mary Ann Ersfeld

2.

Grantee(s):

additional grantee names on page ____.

1. Edward Ersfeld

2.

Abbreviated legal description:

full legal on page(s) ____.

FIR CREST PLANNED UNIT DEVELOPMENT, LOT 21, ACRES 0.15, AF#200408310219,
BEING A PORTION OF THE SE1/4 OF THE SE1/4, SECTION 26, TOWNSHIP 35 NORTH,
RANGE 1 EAST, W.M. AF #200408310219, BEING A PORTION OF THE SE1/4 OF THE SE1/4,
SECTION 26, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ____.

P121974 / 4843-000-021-0000

**DURABLE GENERAL/FINANCIAL POWER OF ATTORNEY
OF
MARY ANN ERSFELD**

1. **Designations; Revocation of Previous Powers of Attorney.** I, MARY ANN ERSFELD, being of sound mind, hereby designate my son, EDWARD ERSFELD of 2020 N.W. 60th St., Seattle, WA 98107, as my Attorney-in-fact. I designate my daughter, ELIZABETH A. SPELGER of 112 - 137th St. S.E., Everett, WA 98208, as alternate Attorney-in-fact, to act as my Attorney-in-fact at any time that EDWARD ERSFELD is unable or unwilling or to act as such. To the extent that these appointments are inconsistent with any prior appointments, the terms of these appointments shall be deemed to revoke such prior appointments.

2. **Effectiveness; Duration.** This power of attorney shall become effective immediately, shall not be affected in the event of my disability or incapacity, and shall continue until revoked or terminated under Section 5, below, notwithstanding any uncertainty as to whether I am dead or alive.

I UNDERSTAND THAT THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY, MEANING THAT MY ATTORNEY IN FACT MAY IMMEDIATELY DO BUSINESS ON MY BEHALF, JUST AS I CAN:



MARY ANN ERSFELD

3. **Powers with Respect to my Property.** Subject to the Limitations described in Section 4, below, my Attorney-in-fact, as a fiduciary acting on my behalf, shall have all of the power and authority of an absolute owner over my assets and liabilities, whether located within or without the State of Washington, including but not limited to the following:

(a) **Real Property.** My 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.

(b) **Personal Property.** My 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.** My Attorney-in-fact shall have the authority to deal with accounts maintained by me or on my behalf with financial institutions, including, without limitation, banks, savings and loan associations, credit unions and brokerages. My Attorney-in-fact's authority shall include the authority to open and close accounts, to buy and sell securities, savings bonds, and certificates of deposit, to make deposits, transfers, and withdrawals, to write checks, and to order the issuance of bank checks such as cashier's checks. Subject to any limitations expressed in Section 4 of this document, this authority shall extend to individual



201104140041
Skagit County Auditor

accounts and joint accounts, including but not limited to accounts with beneficiary designations such as retirement accounts, payable- or transfer-on-death accounts, or joint tenancy accounts with rights of survivorship.

(d) **United States Treasury Bonds.** My Attorney-in-fact shall have authority to purchase and redeem United States Treasury Bonds.

(e) **Moneys Due.** My Attorney-in-fact shall have authority to request, demand, recover, collect, endorse and receive all moneys, debts, accounts, gifts, bequests, dividends, annuities, rents, and payments due me.

(f) **Claims Against Me.** My Attorney-in-fact shall have authority to pay, settle, compromise or otherwise discharge any and all claims of liability or indebtedness against me and, in so doing, may use any of my funds or other assets, or may use the funds or other assets of the Attorney-in-fact and obtain reimbursement out of my funds or other assets.

(g) **Legal Proceedings.** My Attorney-in-fact shall have authority to prosecute, defend, or participate in any legal action in my name or otherwise.

(h) **Tax Matters.** My Attorney-in-fact shall have authority to prepare, or arrange for the preparation of all federal and state income tax and gift tax returns on my behalf, to execute and file such returns, and to pay any taxes that may be due. My Attorney-in-fact shall also have the authority to represent me with respect to audits, appeals, and lawsuits related to any income or gift tax return filed on my behalf, and to pay any assessments for interest or penalties levied against me in connection with such tax returns.

(i) **Written Instruments.** My 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 my Attorney-in-fact as fully as I could do if personally present.

(j) **Safe Deposit Box.** My Attorney-in-fact shall have the authority to enter any safe deposit box in which I have a right of access.

(k) **Transfers to Trust.** My Attorney-in-fact shall have the authority to transfer assets to any trust I have created that directs the distribution of my assets at my death, to any trust for my sole benefit that provides for termination upon my death with the proceeds distributable to my estate, or to any trust if such transfer is consistent with the gifting authority described below.

(l) **Disclaimer.** My Attorney-in-fact shall have the authority to disclaim any interest, as defined in RCW 11.86.010, in any property to which I would otherwise succeed and to decline to act or resign if appointed or serving as an officer, director, executor, trustee, or other fiduciary.

(m) **Gifts.** For the limited purpose of qualifying me for needs-based governmental benefits, such as the Medicaid or COPES programs for the financing of any long-term care that



201104140041

Skagit County Auditor

may be required, my Attorney-in-fact shall have the power to make gifts of my assets during my lifetime to the beneficiaries named in my Will or trust, in proportion to the respective shares of my estate to which those beneficiaries would be entitled if I died on the date of the gift.

(n) **Medicare & Health Insurance Matters.** My Attorney-in-fact shall have the same power and authority I now have to deal with any and all Medicare and health insurance matters on my behalf.

4. **Limitations on Powers with Respect to my Property.** Except as specifically provided above, my Attorney-in-fact shall not have authority to make, amend, alter, or revoke, or create or change a beneficiary designation to my Will or any other document controlling the testamentary disposition of my property. My Attorney-in-fact shall not have the power to exercise any power of appointment on my behalf. My Attorney-in-fact shall not have the authority to change the beneficiary designation on any asset, including but not limited to life insurance policies, employee benefit plans, retirement accounts, annuities, transfer on death accounts, or payable on death accounts, nor to add or remove owners to or from any joint tenancy account. These limitations shall not affect the authority of my Attorney-in-fact to disclaim an interest on my behalf.

5. **Termination.** This power of attorney may be terminated by:

(a) Written notice of revocation by me to my Attorney-in-fact and, if this power of attorney has been recorded, by recording of the written instrument of revocation in the office of the recorder or auditor where the power was recorded;

(b) A guardian of my estate after court approval of such revocation; or

(c) My death, upon actual knowledge or receipt of written notice by the Attorney-in-fact.

6. **Guardian.** It is my intent that this power of attorney will eliminate the need for a guardian; however, in the event a guardian of my estate should be appointed for any reason, I nominate my Attorney-in-fact or his or her successor named herein as guardian of my estate.

7. **Accounting.** Upon my request or upon request of the guardian or personal representative of my estate, the Attorney-in-fact shall account for all actions taken by the Attorney-in-fact for me or on my behalf.

8. **Reliance.** Any person acting without negligence and in good faith in reasonable reliance on this power of attorney shall not incur any liability thereby, and any such action, unless otherwise invalid or unenforceable, shall be binding upon my heirs and personal representatives.

9. **Indemnity.** My estate shall hold harmless and indemnify my Attorney-in-fact from all liability for acts done in good faith and not in fraud of me.



201104140041
Skagit County Auditor

4/14/2011 Page

4 of

5 10:47AM

10. **Reimbursements.** My Attorney-in-fact shall be reimbursed for all costs and expenses reasonably incurred in such capacity, including but not limited to travel and lodging expenses. My Attorney-in-fact is further authorized to employ and compensate from my estate 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, and financial advisors.

11. **Applicable Law.** The laws of the State of Washington shall govern this power of attorney. It is my intention, however, that this document shall be valid in any state and throughout the World, and that the invalidity of any provision herein under local law shall not affect the validity of the remainder of the document.

This Durable General Power of Attorney is signed at Anacortes, Washington on this 3rd day of Sept, 2009.

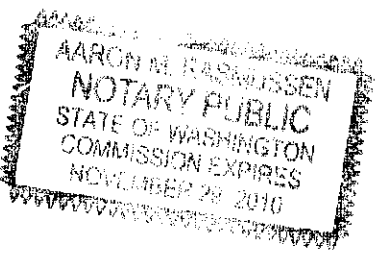
Mary Ann Ersfeld
MARY ANN ERSFELD

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me MARY ANN ERSFELD, to me known to be the individual described in and who executed the foregoing document, consisting of 5 pages, of which this is the last, and acknowledged that she signed said document as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 3 day of September, 2009.

Aaron M. Rasbussen
Notary Public in and for the State of Washington,
residing at Anacortes
My appointment expires 11-29-10



4/14/2011 Page 5 of 5 10:47AM