



201504240022

Skagit County Auditor

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1 of

8 8:59AM

**FILED FOR RECORD AT REQUEST OF:**

KATHERINE KLESIATH  
5404 KINGSWAY  
ANACORTES, WA 98221

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**COVERSHEET**

**DURABLE GENERAL POWER OF ATTORNEY**

**REFERENCE NUMBER OF RELATED DOCUMENT:**

201504240023

201504240024

**GRANTOR:**

**1. STANLEY N. KLEISATH**

**GRANTEE:**

- 2. KATHERINE M. KLEISATH**
- 3. GREGORY N. KLEISATH**
- 4. MICHAEL L. KLEISATH**

**DURABLE GENERAL POWER OF ATTORNEY**

**ARTICLE I.**

**APPOINTMENT OF ATTORNEY-IN-FACT**

I, Stanley N. Kleisath (hereinafter sometimes referred to as "Principal"), appoint as my Attorney-in-Fact Katherine M. Kleisath (hereinafter referred to as "Attorney") who resides at 1909 Skyline Way, Box 7209, Anacortes, WA 98221, and whose home phone number is (360) 299-9655. If the person appointed as Attorney should at any time for any reason be unable or unwilling to act or to continue to act as Attorney, then I appoint as Attorney the person(s) named as "Successor Attorney-in-Fact."

**EFFECTIVE DATE**

This Durable Power of Attorney shall become effective upon the incapacity of the Principal.

**SEVERABILITY**

In the event that any provision herein is invalid, the remaining provisions shall nonetheless be in full force and effect.

**ARTICLE II.**

**DURABLE GENERAL POWER OF ATTORNEY**

**INCAPACITY**

Principal shall be deemed to be incapacitated if at any time two (2) licensed physicians certify in writing that Principal has become physically or mentally

incapacitated and is unable to manage his affairs in his best interest, whether or not a court of competent jurisdiction has declared Principal incompetent, mentally ill or in need of a guardian/conservator.

#### DURATION

This Durable General Power of Attorney shall expire at such time as may be determined by the law, unless at such expiration date I lack the capacity to make decisions for myself, in which case this Durable General Power of Attorney shall continue in effect until the time when I regain this capacity to manage my affairs for myself.

#### POWERS NOT EXERCISABLE BY ATTORNEY

Attorney shall **not** have the power to undertake the following acts on behalf of the Principal:

1. Vote a proxy given by a person with respect to the exercise of voting rights;
2. Make a Will or Codicil to a Will for Principal or revoke Principal's Will or Codicil; or change, modify or direct the revocable Living Trust of the Principal;
3. Exercise any powers under any revocable or irrevocable trust of which the Principal is the creator and/or the Trustee, including the revocation or amendment thereof, except that Attorney may act and exercise any powers with respect thereto which are granted to him or her personally by the terms of the Trust.
4. Exercise any power in any way to discharge any legal obligation that Attorney may have.

#### POWERS EXERCISABLE BY ATTORNEY

Attorney is given and granted hereby full power and authority to do for Principal and in Principal's name, place and stead, and for Principal's use and benefit, all and every act and thing whatsoever and to undertake any and all transactions, acts and proceedings in Principal's name, place and stead for the purpose of transacting any and all business of every kind, nature and description whatsoever in connection with Principal's business and personal affairs relative to any property interest real or personal, of Principal's now owned or hereafter acquired, as fully and to all intents and purposes as Principal might or could do if personally acting. Attorney is specifically empowered and directed to transfer and convey to the Trustee or Trustees then acting under any Revocable Trust (Grantor's Trust) under which Principal is a Settlor

(Grantor/Trustor) and a beneficiary any or all assets now or at any time or times hereafter standing in Principal's name (or representing Principal's interest in assets owned jointly, commonly and/or otherwise with any other person or persons).

1. Attorney is given and granted hereby full power and authority to make, verify and file federal, state and/or local income, gift and/or other tax returns of all kinds, claims for refund, requests for extension of time, petitions to the tax court or other courts regarding tax matters and/or any and all other tax related documents, including receipts, offers, waivers, consents, powers of attorney and closing agreements, of all kinds without limit, and generally to act on behalf of the Principal in all tax matters of all kinds and for all periods before all officers of the Internal Revenue Service and/or any other taxing authority, including receipt of confidential information, and to cause the Principal to be represented in any and all such proceedings,
2. Attorney is given and granted hereby full power and authority to sign and deliver qualified disclaimers as to any gift or inheritance as provided for under the Internal Revenue Code of 1954, as amended from time to time;
3. Attorney is given and granted hereby full power and authority to make gifts to Principal's spouse, if any, child or children and other descendants or ascendants, if any, and/or to charitable, scientific, religious or educational institutions, and to consent to split gifts made by the Principal's spouse to third persons, keeping in mind the Principal's best interests and the best interests of the Principal's family;
4. Attorney is given and granted hereby full power and authority to exercise any special or general power of appointment held by the Principal, keeping in mind Principal's best interests and the best interests of the Principal's family;
5. Attorney is given and granted hereby full power and authority to designate the beneficiary under any policy of life insurance and under any employee benefit plan, keeping in mind Principal's best interests and the best interests of Principal's family.

The Principal hereby ratifies and confirms all that said Attorney shall do or cause to be done by virtue hereof, and all documents of any kind (without limitation) executed and/or delivered by Attorney shall bind the Principal and the Principal's heirs, distributees, legal representatives, successors and assigns.

#### LIMITATION OF LIABILITY

For the purpose of inducing any bank, broker, custodian, insurer, lender, transfer agent and/or other party to act in accordance with the powers granted in this Durable

Power of Attorney, the Principal hereby represents, warrants and agrees that, if this Power of Attorney is terminated for any reason whatsoever, the Principal and the Principal's heirs, distributees, legal representatives, successors and assigns will save such party or parties harmless from any loss suffered or liability incurred by such party or parties in acting in accordance with this Power of Attorney prior to such party's or parties' receipt of written notice of any such termination.

**ARTICLE III.**

**REVOCACTION OF PRIOR POWERS OF ATTORNEY**

This Power of Attorney revokes any prior Durable General Power of Attorney executed previously by the Principal.

**ARTICLE IV.**

**SIGNATURE BY ATTORNEY**

When signing on behalf of Principal under this Power of Attorney, Attorney shall sign as follows:

"Stanley N. Kleisath by Katherine M. Kleisath,  
his Attorney-in-Fact."

**ARTICLE V.**

**NOMINATION OF SUCCESSOR**

I nominate and appoint as Successor Attorneys to serve by virtue of the authority herein granted the following:

First Successor: Gregory N. Kleisath  
Address: 7912 47th Drive, N.W.  
Marysville, WA 98271  
Phone: (360) 659-6614

Second Successor: Michael L. Kleisath  
Address: 18403 127th Avenue, N.E.  
Arlington, WA 98223  
Phone: (360)

The condition under which any person named above as Successor Attorney may exercise any powers set forth herein is that any person who is at the time authorized hereunder to serve as my Attorney shall be unable to or unwilling to serve or to continue to serve as Attorney, then in the order specified above, the first person named above as Successor Attorney who is willing and able to serve as such Attorney shall be fully authorized to serve hereunder, and shall have all of the powers granted originally to my Attorney and the term "Attorney" shall refer to such person so serving. Any Successor Attorney may execute an affidavit that my Attorney is unwilling or unable to serve or continue to serve and such affidavit shall be conclusive evidence, insofar as third parties are concerned, of the fact set forth therein, and in such event any person acting in reliance upon such affidavit shall incur no liability to my estate because of such reliance.

#### **ARTICLE VI.**

#### **DECLARATION OF PRINCIPAL**

Principal declares that the following is correct:

1. Principal has been advised, in regard to this Durable General Power of Attorney;
2. Principal understands that the Durable General Power of Attorney gives to the Attorney nominated herein broad powers to dispose, sell, convey and encumber the Principal's real and personal property, which powers arise on the Principal's disability or incapacity; and
3. Principal understands that these powers for the Durable General Power of Attorney will exist for an indefinite period of time after the Principal's disability or incapacity unless their duration has been limited in this document.

ARTICLE VII

NOMINATION OF GUARDIAN

In the event of my legal incapacity, I, Stanley N. Kleisath, residing in the State of Washington, nominate and appoint the following to be my legal Guardian(s):

APPOINTEE: Katherine M. Kleisath

FIRST ALTERNATE: Lesa M. Roehrich (Health Care Only)

SECOND ALTERNATE: Joan Renee K. Myrick (Health Care Only)

FIRST ALTERNATE: Gregory N. Kleisath (Financial Only)

SECOND ALTERNATE: Michael L. Kleisath (Financial Only)

The named Alternate Guardians are to serve sequentially in the event that the first Guardian(s) is unable or unwilling to serve. No bond shall be required of any Guardian acting under authority of this appointment. This appointment may be confirmed by any court of competent jurisdiction.

Dated: Jan. 22, 1998.

*Stanley N. Kleisath*  
Stanley N. Kleisath

Witness

*Janet Douglas*

Address

702 Main St.  
Mt. Vernon, WA 98273

UNOFFICIAL DOCUMENT

Witness

Rosemary Lamb

Address

702 Main St

Mount Vernon, Wa.

ss. ( STATE OF WASHINGTON  
( COUNTY OF SKAGIT

On January 22, 1998, before me the undersigned, a Notary Public in and for said State, personally appeared Stanley N. Kleisath, known to me or proved to me on the basis of satisfactory evidence to be the person who subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Kathi Osborne

NOTARY PUBLIC in and for the State of Washington residing at: Mount Vernon

My Commission Expires: 8-1-2000

