### DURABLE POWER OF ATTORNEY OF JOSEPHINE A. MCNAMARA

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- 1. <u>Designation</u>. JOSEPHINE A. McNAMARA, also known as JOSEPHINE A. OSTRANDER (the "Principal") designates MICHAEL J. KOTZIN as attorney-in-fact for the Principal. If at any time the designated attorney-in-fact declines, fails, or is unable to act as attorney-in-fact for the Principal, the Principal designates RICHARD C. KOTZIN as attorney-in-fact for the Principal.
- 2. <u>Effectiveness: Duration</u>. This power of attorney shall become effective immediately, shall not be affected by the disability or incompetence of the Principal, and shall continue until revoked or terminated under paragraph 5, notwithstanding any uncertainty as to whether the Principal is dead or alive.
- 3. <u>Powers</u>. The attorney-in-fact, as a fiduciary, is hereby granted all of 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 include, without limitation, all powers as are necessary or desirable to provide for the support, maintenance, health, medical care, emergencies and urgent necessities of a disabled or incompetent Principal. The attorney-in-fact is hereby authorized to:
- 3.1 Real Property. Purchase, take possession of, lease, sell, convey, exchange, mortgage, release and encumber real property or any interest in real property;
- 3.2 <u>Personal Property</u>. 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. Deal with accounce maintained by or on behalf of the Principal with institutions (including, without limitation, banks, 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; this power over accounts includes the right to change any account the Principal previously held with another as a joint tenant with right of survivorship in trust or other common account designation with a third party which the Principal hereby states were established for convenience purposes and not for any testamentary disposition;
- 3.4. <u>United States Treasury Bonds</u>. Purchase United States Treasury Bonds that may be redeemed at par in payment of federal estate tax;

DURABLE POWER OF ATTORNEY - PAGE 1 203:20

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- 3.5 Taxes and Moneys Due. Act for the Principal to file, collect, pay, determine or otherwise perform all acts on the Principal's behalf with regard to federal, state or other taxes including, but not limited to, filing income, gift, partnership or corporate tax returns and related forms, request, demand, recover, collect, endorse and receive all moneys, debts, accounts, gifts, bequests, dividends, annuities, rents and payments due the Principal including, but not limited to, retirement, pensions, social security and any and all benefits due from the United States or any other governmental entity;
- 3.6 <u>Claims Against Principal</u>. 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 <u>legal Proceedings</u>. Participate in any legal action in the name of the Principal or otherwise; this shall include (a) actions for attachmenc, 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;
- 3.8 Written Instruments. Sign, seal, execute, deliver and acknowledge all written instruments and do and perform each and every act and thing whatsoever that may be necessary or proper in the exercise of the powers and authority granted to the attorneyin-fact as fully as the Principal could do if personally present;
- 3.9 <u>Safe Deposit Box</u>. Enter any safe deposit box in which the Principal has a right of access:
- 3.10 Transfers to Trust. Transfer assets of all kinds to the trustee of any trust that is for the sole benefit of the Principal and that terminates at the Principal's death with the property distributable to the personal representative of the Principal's estate;
- 3.11 <u>Disclaimer</u>. Disclaim any interest, as defined in RCW 11.86.010, in any property to which the Principal would otherwise succeed and/or decline to act or resign if appointed or serving as an officer, director, executor, trustee or other fiduciary;
- 3.12 <u>Informed Consent</u>. Provide informed consent for health care on behalf of the Principal, pursuant to RCW 7.70.065 or the successor to such statute, to make informed choices on behalf of the Principal for the Principal's residential placement and/or to provide releases of the medical records or medical information of the Principal as may be needed from time to time; if the Principal has signed a Directive to Physicians, Living Will or

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other directive stating my desires should I become terminally ill and then unable to communicate my health care desires, this part 3.12 shall be interpreted to be consistent with such other directive; in this regard the attorney-in-fact is authorized to consult with and discuss my care and condition with such professionals, family and friends as the attorney-in-fact deems advisable.

- 4. <u>Limitations on Powers</u>. Notwithstanding the foregoing, the attorney-in-fact shall not have authority to make, amend, alter, revoke or change any life insurance policy, employee benefit or testamentary disposition of the Principal's property; this limitation shall not affect any authority expressly granted in Section 3 entitled "Powers" above.
- 5. <u>Termination</u>. This power of attorney may be terminated by:
- (a) the Principal by written notice to the attorney-infact 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;
- (b) a Guardian of the estate of the Principal after court approval of such revocation; or
- (c) the death of the Principal upon actual knowledge or receipt of written notice by the attorney-in-fact.
- 6. Accounting. Upon the request of the Principal or the Guardian of the estate of 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 this 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. Indemnities and Compensation.

- a. The Principal and 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.
- b. The Principal and the estate of the Principal shall hold harmless and indemnify any physician for all results of any good faith determination by such physician concerning disability or incompetence of the Principal.
  - c. The attorney-in-fact shall be reimbursed for all

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annually, without court approval, such reasonable compensation for services performed as attorney-in-fact as is customarily charged by the trust departments of banks in the community for like services performed as attorney-in-fact and/or guardian of the estate.

- 9. Appointment of Guardian. In the event anyone petitions for guardianship over me and the court determines that such a guardianship is necessary and proper, pursuant to the Revised Code of Washington, 11.94.010, I nominate the above-named attorney-infact as my guardian, except for good cause then shown to the court for disqualification.
- 15. Revocation of Prior Powers of Attorney. By the execution of this document, the undersigned Principal hereby revokes all prior burable Powers of Attorney, Deferred Durable Powers of Attorney, Fowers of Attorney or documents wherever executed wherein the Principal may have given another authority to manage all or any part of the personal or financial affairs of the Principal.
- 11. Applicable Law. The laws of the State of Washington shall govern this power of attorney.
- 12. Mailing Address and Social Security Number. The Principal's current mailing address is 17949 Noll Road NE, Poulsbo, Washington, 98370. The Principal's Social Security number is 328-18-8717.

DATED this 5 day of July , 1995.

JOSEPHINE A. MCNAMARA

JOSEPHINE A. OSTRANDER

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STATE OF WASHINGTON SS. COUNTY OF KITSAP

On this day personally appeared before me JOSEPHINE MCNAMARA, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the purposes therein mentioned.

GIVEN under my hand and official seal on \ 1995.

My Commission Expires 8/1/96

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