Recording Requested By And When Recorded Mail To: Daren Greig 78-797 Tamarisk Flower Dr. Palm Desert, CA 92211 DOC # 780397
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OFFICIAL RECORD
Requested By:
STEWART VACATION OWNERSH
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 10 Fee: 23.00
BK-311 PG-4854 RPTT: 0.00

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# DURABLE POWER OF ATTORNEY OF LINDA J. GREIG





#### **DURABLE POWER OF ATTORNEY**

**OF** 

#### Linda J. Greig

#### I. PRINCIPAL AND ATTORNEY-IN-FACT

I, Linda J. Greig, who resides at 78797 Tamarisk Flower Drive, Palm Desert, California 92211, appoint the following person to serve as my attorney-in-fact, to act for me in any lawful way with respect to the subjects indicated below.

Name:

Daren D. Greig

Address:

78797 Tamarisk Flower Drive Palm Desert, California 92211

#### II. **EFFECTIVE TIME**

This Power of Attorney shall become effective immediately, and shall not be affected by any subsequent disability or incapacity of the principal. This is a Durable Power of Attorney.

Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and any similar state laws, and exclusively for the purpose of making a determination of my incapacitation or incapability of managing my financial affairs and obtaining an affidavit of such incapacitation by a physician, I authorize any health care provider to disclose to the person named herein as my "attorney-in-fact," any pertinent individually identifiable health information sufficient to determine whether I am by reason of illness or mental or physical disability incapacitated or incapable of managing my financial affairs. In exercising such authority, my attorney-in-fact shall constitute my 'Personal Representative' as defined by HIPAA.



780397 Page: 3 of 10 03/22/2011

#### III. POWERS OF ATTORNEY-IN-FACT

My attorney-in-fact shall have the power to act in my name, place and stead in any way which I myself could do with respect to the following matters to the extent permitted by law:

YOUR ATTORNEY-IN-FACT SHALL BE AUTHORIZED TO ENGAGE ONLY IN THOSE ACTIVITIES THAT ARE INITIALED.

#### (2G) REAL ESTATE TRANSACTIONS:

- Manage, sell, transfer, lease, mortgage, pledge, refinance, insure, maintain, improve, and perform any and all other acts with respect to real property and interests in real property that I own now or later acquire.
- Defend, settle and enforce by litigation a claim to real property and interests in real property that I own now or later acquire.
- Buy, lease or otherwise acquire real property or an interest in real property.
- Execute deeds, mortgages, releases, satisfactions and other instruments relating to real property and interests in real property that I own now or later acquire.

### ( LG ) PERSONAL PROPERTY TRANSACTIONS:

Buy or otherwise acquire ownership or possession of, sell or otherwise dispose of, mortgage, pledge, assign, lease, insure, maintain, improve, pay taxes on, and otherwise manage tangible personal property and interests thereof that I now own or later acquire.

#### (LG) STOCK AND BOND TRANSACTIONS:

- Buy, sell, pledge and exchange stocks, mutual funds, bonds, options, commodity futures and all other types of securities in my name.
- Sign, accept and deliver in my name certificates, contracts or other documents relating to the foregoing, including agreements with brokers or agents.
- Exercise voting and other rights and enter into agreements relating thereto.

780397 Page: 4 of 10 03/22/2011

#### $(\underline{LG})$ BANKING TRANSACTIONS:

Conduct any business with banks and other financial institutions, including but not limited to the following:

- Signing and endorsing all checks and drafts in my name.
- Withdrawing funds from accounts.
- Opening, maintaining and closing accounts or other banking arrangements.
- Hiring safe deposit boxes, entering into them and removing articles from them.
- Borrowing money, pledging property as security, and negotiating terms of debt payments.
- Applying for and receiving letters of credit, credit cards and traveler's checks, and giving an indemnity or other agreement in connection with letters of credit.

#### $(\underline{LG})$ BUSINESS OPERATING TRANSACTIONS:

- Buy, sell, expand, reduce or terminate a business interest.
- Manage and operate any business or business interest that I now have or later acquire, including but not limited to the following:
  - Entering into, amending, enforcing and terminating any business contract.
  - Disbursing, receiving and demanding money in the operation of the business.
  - Merging, reorganizing or selling a business or part of a business.
  - Determining the location, nature, and method for operating the business.
  - Hiring and firing employees and agents.
- To the extent that an agent is permitted by law to act for a principal, and subject to the terms of any partnership or operating agreement, to perform any duty and exercise any right, power or privilege that I have under a partnership or operating agreement, to enforce the terms of a partnership or operating agreement, and to defend, arbitrate and settle any legal proceeding to which I am a party because of membership in a partnership or limited liability company.
- Exercise a right, power or privilege that I have as the holder of a bond, share or instrument of similar character and to defend, arbitrate and settle any legal proceeding to which I am a party because of any bond, share or similar instrument.



780397 Page: 5 of 10 03/22/2011

(<u>LG</u>) INSURANCE AND ANNUITY TRANSACTIONS:

• Obtain, modify, renew, convert, rescind, pay the premium on or terminate insurance and annuities of all types for myself and for my family and other dependents.

- Designate the beneficiary of the contract, but the attorney-in-fact may
  be named a beneficiary of the contract, or an extension, renewal, or
  substitute for it, only to the extent the attorney-in-fact was named as a
  beneficiary under a contract procured by the principal before signing
  this Power of Attorney.
- Surrender and receive the cash value, borrow against or pledge any insurance or annuity policy.

 $(\underline{LG})$  ESTATE AND TRUST TRANSACTIONS:

- To act for me in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship or other fund from which I am now, claim to be or later become entitled, as a beneficiary, to a share or payment.
- Transfer any of my property to a living trust that I created as a grantor before this Power of Attorney was signed.

(LG) LEGAL ACTIONS:

To act for me in all legal matters, whether claims in my favor or against me, including but not limited to retaining attorneys on my behalf; appearing for me in all actions and proceedings, commencing actions in my name, signing all documents, submitting claims to arbitration or mediation, settling claims and paying judgments and settlements.

(<u>LG</u>) PERSONAL AND FAMILY CARE:

To do all acts necessary to maintain the customary standard of living of my spouse, children and other individuals customarily or legally entitled to be supported by me, including, but not limited to, providing and paying for medical care, shelter, clothing, food, usual vacations, education, transportation, and dues for social organizations.

(<u>LG</u>) GOVERNMENT ASSISTANCE:

Claim and collect benefits from social security, Medicare, Medicaid, or other government programs or civil or military service.

80397 Page: 6 of 10 03/22/2011

#### (LG) RETIREMENT PLANS:

To act for me in all matters that affect my retirement or pension plans, including but not limited to selecting payment options, designating beneficiaries, making contributions, exercising investment powers, making "rollovers" of plan benefits, borrowing or selling assets from the plan, and, if I am a spouse who is not employed, waiving my right to be a beneficiary of a joint or survivor annuity.

## TAXES:

- Prepare, exercise any available election, and sign tax returns and related documents.
- Pay taxes due, collect refunds, post bonds, receive confidential
- Represent me in all income tax matters before any federal, state, or local tax collecting agency.

## GIFTS:

Make gifts from my assets, including debt forgiveness and gifts to my. attorney-in-fact.

## PET AND ANIMAL CARE:

To do all acts necessary to maintain the customary standard of living of all pets and animals currently supported by me, including, but not limited to, providing and paying for shelter, food, and veterinary care.

My attorney-in-fact is empowered to take all further action, including the payment of expenditures and the preparation and execution of all documents, as the attorney-in-fact deems necessary or appropriate in order to fully effectuate the purposes of the foregoing matters.

#### IV. **GENERAL PROVISIONS**

Reliance By Third Parties. I hereby agree that any third party receiving a duly executed copy or copy of this document may rely on and act under it. Revocation or termination of this Power of Attorney shall be ineffective as to the third party unless and until actual notice or knowledge of the revocation or termination has been received



by the third party. I, for myself and for my heirs, executors, legal representatives and assigns, hereby agree to indemnify and hold harmless any third party from any and all claims because of reliance on this instrument in good faith.

- 2. <u>Severability.</u> If any provision hereof is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this document, and such other provisions shall be given effect without the invalid or unenforceable provision.
  - 3. Revocation. I may revoke this Power of Attorney at any time.
- 4. <u>Accounting.</u> My attorney-in-fact shall provide an accounting for all funds handled and all acts performed as my attorney-in-fact, but only upon my request or the request of a personal representative or a fiduciary acting on my behalf. Any requirement of my attorney-in-fact to file inventories and accounts with the county clerk or with the court is specifically waived.
- 5. <u>Compensation and Reimbursement.</u> My attorney-in-fact shall not be compensated for services provided on my behalf pursuant to this Power of Attorney. My attorney-in-fact shall be reimbursed for all reasonable expenses incurred relating to his or her responsibilities under this Power of Attorney.
- 6. <u>Personal Benefit Permitted.</u> So long as my attorney-in-fact is acting in good faith and in my best interest, my attorney-in-fact is permitted to personally benefit or profit from transactions taken on my behalf.
- 7. <u>Liability of Attorney-in-Fact.</u> All persons or entities who in good faith endeavor to carry out the provisions of this Power of Attorney shall not be liable to me, my estate, or my heirs, for any damages or claims arising because of their actions or inactions based on this Power of Attorney. My estate shall indemnify and hold them harmless. A successor attorney-in-fact shall not be liable for acts of a prior attorney-in-fact.

BK-311 PG-4861 780397 Page: 8 of 10 03/22/2011

**IN WITNESS WHEREOF**, the undersigned has executed this Power of Attorney on the date set forth below.

Date:

Signature of Linda J. Greig

This document was prepared by:

Name:

Daren D. Greig

Address:

78797 Tamarisk Flower Drive

Palm Desert, California 92211

BK-311 PG-4862 780397 Page: 9 of 10 03/22/2011

## ACKNOWLEDGMENT OF NOTARY PUBLIC

State of California
County of <u>RIVERSI</u>

On MICOLO 9, DO9, before me, MILAN MILLENTE, Notately Public personally appeared Linda J. Greig, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)(is) are subscribed to the within instrument and acknowledged to me that he/she they executed the same in his her/their authorized capacity(jes), and that by his her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature HUUU McHUUUL (Seal

HELEN M. LEONTE
Commission # 1786543
Notary Public - California
Riverside County
MyComm. Expires Jan 20, 2012

#### NOTICE TO PERSON ACCEPTING APPOINTMENT AS ATTORNEY-IN-FACT

By acting or agreeing to act as the agent (attorney-in-fact) under this power of attorney you assume the fiduciary and other legal responsibilities of an agent. These responsibilities include:

- 1. The legal duty to act solely in the interest of the principal and to avoid conflicts of interest.
- 2. The legal duty to keep the principal's property separate and distinct from any other property owned or controlled by you.

You may not transfer the principal's property to yourself without full and adequate consideration or accept a gift of the principal's property unless this power of attorney specifically authorizes you to transfer property to yourself or to accept a gift of the principal's property. If you transfer the principal's property to yourself without specific authorization in the power of attorney, you may be prosecuted for fraud and/or embezzlement. If the principal is 65 years of age or older at the time that the property is transferred to you without authority, you may also be prosecuted for elder abuse under Penal Code Section 368. In addition to criminal prosecution, you may also be sued in civil court.

I have read the foregoing notice and I understand the legal and fiduciary duties that I assume by acting or agreeing to act as the agent (attorney-in-fact) under the terms of this power of attorney.

Date:

Signature of Daren D. Greig