

24-

Doc Number: **0823559**

05/14/2013 02:55 PM

OFFICIAL RECORDS

Requested By
ALLING JILLSON

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 of 11 Fee: \$ 24.00

BK: 0513 Pg: 3690



Deputy gb

RECORDING REQUESTED BY:

Chris Luippold.

AND WHEN RECORDED MAIL TO:

✓ Chris Luippold
2198 Royal Drive
Reno, NV 89503

Pursuant to *NRS 239B.030*, I, the undersigned, affirm that this document submitted for recording does not contain the social security number of any person or persons.

**DURABLE GENERAL POWER OF ATTORNEY
FOR MANAGEMENT OF PROPERTY AND PERSONAL AFFAIRS
FOR RICHARD BARTHEL LUIPPOLD**

I, RICHARD BARTHEL LUIPPOLD, a resident of Douglas County, Nevada, appoint my son, CHRIS LUIPPOLD, as my attorney-in-fact. If CHRIS LUIPPOLD is unable to serve (by reason of death, incapacity, or any other reason), I appoint my daughter, LINDA HENRICKSEN as my attorney(s)-in-fact:

I intend to create a Durable, Power of Attorney (herein referred to as "this Power") pursuant to Nevada law for management of property and personal affairs and not to make decisions concerning health care. Pursuant to *NRS 111.460* this Power shall not be affected by my future disability. This Power shall become effective immediately.

I give my attorney-in-fact the powers specified in this Power with the understanding that they will be used for my benefit and on my behalf and will be exercised only in a fiduciary capacity.

1. POWERS

1.1 Real and Personal Property: I give my attorney in fact the power to take any actions necessary or desirable for the management or maintenance of any real or personal property in which I own an interest when this Power is executed, or in which I later acquire an interest, including the power to acquire, sell and convey ownership of property; control the manner in which property is managed, maintained and used; change the form of title in which property is held; satisfy and grant security interests and other encumbrances on property; obtain and make claims on insurance policies covering risks of loss or damage to property; accept or remove tenants, collect proceeds generated by property; ensure that any needed repairs are made to property; exercise rights of participation in real estate syndicates or other real estate ventures; make improvements to property; and perform any other acts allowed by law, except those acts that conflict with or are limited by a more specific provision in this Power.

1.2 Securities: I give my attorney-in-fact the power to take any actions necessary or desirable with respect to any securities that I own when this Power becomes effective, or that are acquired thereafter, including the power to purchase, exchange and sell securities; exercise voting rights with respect to securities; collect dividends, interest and any other proceeds generated by securities; transfer title to securities; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power. For the purposes of this paragraph, the term "securities" includes stocks, bonds, mutual funds and all other types of securities and financial instruments, except commodity futures contracts and call and put options on stocks and stock indexes.

1.3 Financial Institutions: I give my attorney-in-fact the power to take any actions necessary or desirable in connection with any financial institution in which I have an account or an interest in an account when this Power is executed, or in which I later acquire an account or an interest in an account, including the power to continue, modify or terminate existing accounts; open new accounts; draw,

endorse and deposit checks, drafts and other negotiable instruments; prepare, receive and deliver financial statements; establish, maintain or close safe deposit boxes; borrow money; apply for and receive travelers checks and letters of credit; extend payment periods with respect to commercial paper; and perform, except those acts that conflict with or are limited by a more specific provision in this Power. For the purposes of this paragraph, the term "financial institution" includes, but is not limited to, banks, trust companies, savings banks, commercial banks, building and loan associations, savings and loan companies or associations, credit unions, industrial loan companies, thrift companies and brokerage firms.

1.4 Business Operations: I give my attorney-in-fact the power to take any actions necessary or desirable in connection with any business venture in which I have an interest when this Power is executed, or in which I later acquire an interest, including the power to execute and enforce my obligations and rights as a partner in any general or limited partnership to the extent permitted by law and any applicable partnership agreement; enforce my rights as the holder of a bond or similar instrument issued by any business in which I have an interest; discharge my duties and enforce any rights in any sole proprietorship; expand, recapitalize or reorganize any business to the extent my interest in that business allows; collect proceeds generated by any business in which I have an interest and to which I am entitled; sell or liquidate my interest in a business; and perform any other acts, except those acts that conflict with or are limited by a more if specific provision in this Power.

1.5 Insurance and Annuities: I give my attorney-in-fact the power to take any actions necessary or desirable with respect to any insurance or annuity contracts in which I have an. interest when this Power is executed, or in which I later acquire an interest, including the power to acquire additional insurance coverage of any type or additional annuities; continue existing insurance or annuity contracts; agree to modifications in the terms of insurance or annuity contracts in which I have an interest; borrow against insurance or annuity contracts in which I have an interest,

to the extent allowed under the contract terms; change beneficiaries under existing contracts and name beneficiaries under new contracts, including the power to designate my attorney-in-fact as the beneficiary; receive dividends, proceeds and other benefits generated by the contracts; transfer interests in insurance or annuity contracts to the extent permitted under the terms of those contracts; and perform, except those acts that conflict with or are limited by a more specific provision in this Power.

1.6 Retirement Plans: I give my attorney-in-fact the power to take any actions necessary or desirable in order to maintain or participate in any retirement plan in which I have an interest when this Power is executed, or in which I later acquire an interest, including the power to select the manner in which benefits under the plan are to be paid; designate beneficiaries under the plan, including the power to designate my attorney-in-fact as the beneficiary; make voluntary contributions to the plan; make rollovers in one plan into another, to the extent authorized by the plan, borrow from the plan and sell the assets of the plan; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power.

1.7 Estate, Trust and Other Beneficiary Transactions: I give my attorney-in-fact the power to take any actions necessary or desirable in order to act, to the extent an agent is permitted to do so by law and by any controlling instrument, with respect to any estate or trust in which I have an interest when this Power is executed, or in which I later acquire an interest, including the power to receive payments to which I am entitled from any estate or trust; participate in all proceedings concerning any estate or trust in which I have an interest; execute disclaimers of any interests I may have in any estate or trust; convey or release any contingent interests I may have in any estate or trust; make any election available to a surviving spouse under the Internal Revenue Code, the applicable state statute; and perform any other acts, except those acts that conflict with or are limited by a more

specific provision in this Power. For the purposes of this paragraph, the term “estate or trust” means all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship or other fund from which I am, may become, or claim to be entitled as a beneficiary to a share or payment.

1.8 Power to Create, Modify and Revoke Trusts: I give my attorney-in-fact the power to take any action necessary or desirable with respect to trusts that exist when this Power is executed or that are established thereafter (other than powers that I hold in a fiduciary capacity or solely by virtue of being a beneficiary of any trust), including the power to establish trusts for my benefit or the benefit of my spouse, my descendants and any other of my dependents; contribute or transfer assets to any trust in which I have an interest; and exercise any power I may have as an individual (not as a fiduciary), other than as a trust beneficiary, such as borrowing trust assets, amending or revoking a trust agreement, and voting shares of stock, but subject to the limitation that any trust I have created may be modified or revoked by my attorney-in-fact only if expressly permitted by the trust instrument. This paragraph shall not be construed as limiting the authority of my attorney-in-fact to exercise any power, with respect to trusts, that I may hold in a fiduciary capacity or as a trust beneficiary, to the extent that such authority is specifically given elsewhere in this Power.

1.9 Claims and Litigation: I give my attorney-in-fact the power to take any actions necessary or desirable with respect to any claim that I may have or that has been asserted against me and with respect to any legal proceeding in which I have an interest when this Power is executed, or in which I later acquire an interest, including the power to institute, prosecute and defend legal proceedings and claims on my behalf, file actions to determine adverse claims, intervene in litigation and act as *amicus curiae* in any proceedings affecting my interests; seek preliminary, provisional or intermediate relief on my behalf, apply for the enforcement or satisfaction of judgments that have been rendered in my favor; participate fully in the

development of claims and proceedings; submit any dispute in which I have an interest to arbitration; submit and accept settlement offers and participate in settlement negotiations; handle all procedural aspects, such as service of process, filing of appeals, stipulations, verifications, waivers and all other matters in any way affecting the process of any claim or litigation; fully participate in any voluntary or involuntary bankruptcy proceeding involving me or in which I am a claimant; satisfy judgments that have been rendered against me; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power.

1.10 Tax Matters: For any tax year for which the statute of limitations has not run and to the tax year in which this durable power of attorney was executed and any subsequent tax year, I give my attorney-in-fact the power to prepare and file any and all documents and take all actions necessary or desirable with respect to my local, state or federal tax liability, including the power to participate in audits; exercise my rights to protest and appeal assessments; pay amounts due to the appropriate taxing authority; execute waivers, consents, closing agreements, and similar documents related to my tax liability; participate in all procedural matters connected with my tax liability; exercise any elections that may be available to me under applicable state or federal tax laws or regulations; and perform any other acts except those acts that conflict with or are limited by a more specific provision in this Power.

1.11 Personal and Family Maintenance: I give my attorney-in-fact the power to take any actions necessary or desirable in order to effectively conduct my personal affairs and to discharge any and all obligations I may owe to myself and to family members and other third persons who are customarily or legally entitled to my support when this Power is executed or that are undertaken thereafter, including the power to take steps to ensure that our customary standard of living is maintained; arrange for medical and dental care; continue existing charge accounts, open new charge accounts and make payments thereon; provide for transportation; maintain

correspondence; prepare, maintain and preserve personal records and documents; maintain membership in any social, religious or professional organization and make contributions thereto; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power.

1.12 Gifts: I give my attorney-in-fact the power to make gifts, grants or other transfers without consideration, of cash or other property, either outright or in trust, including the power to forgive indebtedness and consent to gift splitting under Internal Revenue Code Section 2513 or successor sections. The powers granted under this paragraph shall be exercised, if at all, in favor of my spouse and my descendants and their spouses.

1.13 Government Benefits: With respect to any government benefits either existing when this Power is executed or accruing thereafter, whether in this state or elsewhere, I give my attorney-in-fact the power to take all actions necessary or desirable, including the power to execute and deliver vouchers related to government benefits; take possession of and store property as allowed under any government benefit program in which I have an interest; prepare and submit claims for government benefits to which I may be entitled; collect proceeds due to me under any government benefit plan; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power. For the purposes of this paragraph, the term "government benefits" means benefits from social security, medicare, medicaid or other governmental programs, or from civil or military service.

1.14 Nomination of a Guardian or Conservator: If proceedings are initiated for the appointment of a Guardian of my estate or a Guardian of my person, I hereby nominate my son, CHRIS LUIPPOLD. If CHRIS LUIPPOLD is unable (by reason of death, incapacity, or any other reason) or unwilling to serve as conservator, then I nominate my daughter, LINDA HENRICKSEN, as conservator of my estate:

1.15 All Other Matters: Except for those actions that conflict with or are

limited by another provision in this Power, I give my attorney-in-fact the power to act as my alter ego with respect to all matters and affairs that are not included in the other provisions in this Power, to the extent that a principal can act through an agent. This paragraph does not authorize my attorney-in-fact to make health care decisions, as provided for in NRS 449.810 and following.

1.16 Incidental Powers: In connection with the exercise of any of the powers described in the preceding paragraphs, I give my attorney-in-fact full authority, to the extent that a principal can act through an agent, to take all actions necessary, proper or convenient, to the extent that I could take such actions myself, including the power to prepare, execute and file all documents and maintain records; enter into contracts; hire, discharge and pay reasonable compensation to attorneys, accountants, expert witnesses or other assistants; engage in litigation regarding a claim in favor of or against me; execute, acknowledge, seal and deliver any instrument; and perform any other acts, except those acts that conflict with or are limited by a more specific provision in this Power.

1.17 Restrictions on Property Management Powers: Notwithstanding any other provision in this Power, my attorney-in-fact shall not do any of the following: (a) exercise powers of the trustee under an irrevocable trust of which my attorney-in-fact is settlor and of which I am a trustee; (b) use my property to discharge the legal obligations of my attorney-in-fact, including but not limited to the support of the dependents of my attorney-in-fact, except for those dependents to whom I, along with my attorney-in-fact, owe a duty of support; and (e) exercise any incident of ownership over any insurance policy that I own and that insures the life of my attorney-in-fact.

2. AMPLIFYING PROVISIONS

2.1 Reimbursement for Costs and Expenses: My attorney-in-fact shall be entitled to reimbursement from my property for expenditures properly made in the execution of the powers conferred by me in this Power. My attorney-in-fact shall

keep records of any such expenditures and reimbursement.

2.2 Reasonable Compensation: My attorney-in-fact shall be entitled to reasonable compensation for the services rendered in the execution of any of the powers conferred in this Power. In determining the reasonableness of compensation, all relevant factors shall be taken into consideration, including, but not limited to, the time expended by my attorney-in-fact, the value of the property over which my attorney-in-fact exercises control and management, and the complexity of the transactions entered into by my attorney-in-fact. My attorney-in-fact may make the payment of such amount from my assets every month. My attorney-in-fact shall keep records that include the amount of time spent in performing the services, a description of the services performed and the amount of compensation paid for each such time period.

2.3 Reliance by Third Parties: To induce third parties to rely upon the provisions of this Power, I, for myself and on behalf of my heirs, successors and assigns, hereby waive any privilege that may attach to information requested by my attorney-in-fact in the exercise of any of the powers described herein. Moreover, on behalf of my heirs, successors and assigns, I hereby agree to hold harmless any third party who acts in reliance upon this Power for damages or liability incurred as a result of that reliance.

2.4 Release of Medical Information: I authorize in advance all providers of health care, including hospitals, to release to my attorney-in-fact all information or photocopies of any records that my attorney-in-fact requests. If I am able to confirm this authorization at the time of the request, third parties may seek such confirmation from me, but this authorization shall not be conditional on my confirmation. All providers of health care shall treat the request of my attorney-in-fact as that of a legal representative of an incompetent patient and shall honor that request on such a basis. I hereby waive any privilege applicable to such information and records and to any communication pertaining to me and made in the course of

a physician-patient or psychiatrist-patient relationship, and I hold the provider of health care harmless for any liability for the release of such information.

2.5 Ratification: I ratify and confirm all that my attorney-in-fact does or causes to be done under the authority granted in this Power. All instruments of any sort entered into in any manner by my attorney-in-fact shall bind me, my estate, my heirs, successors and assigns.

2.6 Exculpation of My Attorney-In-Fact: My attorney-in-fact shall not be liable to me or any of my successors in interest for any action taken or not taken in good faith, but shall be liable for any willful misconduct or gross negligence.

2.7 Revocation and Amendment: I revoke all prior General Powers of Attorney that I may have executed and I retain the right to revoke or amend this document and to substitute other attorneys-in-fact in place of my attorney-in-fact. Amendments to this document shall be made in writing by me personally (not by my attorney-in-fact) and they shall be attached to the original of this document and recorded in the same county or counties as the original if the original is recorded.

3. GENERAL PROVISIONS

3.1 Signature of Attorney-In-Fact: My attorney-in-fact shall use the following form when signing on my behalf pursuant to this Power:
“ _____ by _____, Attorney-in-Fact.”

3.2 Photostatic Copies: Persons dealing with my attorney-in-fact may rely fully on a photostatic copy of this Power.

3.3 Severability: If any of the provisions of this Power are found to be invalid for any reason, such invalidity shall not affect any of the other provisions of this Power, and all invalid provisions shall be wholly disregarded.

3.4 Governing Law: All questions pertaining to validity, interpretation and administration of this Power shall be determined in accordance with the laws of Nevada.

3.5 Explanation of Durable Power for Property Management: I

understand that this Power is an important legal document. Before executing this document, my lawyer explained to me the following: (1) this document provides my attorney-in-fact with broad powers to dispose of, sell, convey and encumber my real and personal property; (2) the powers granted in this Power will exist for an indefinite period of time unless I limit their duration by the terms of this Power or revoke this Power, and they will continue to exist notwithstanding my subsequent disability or incapacity; and (3) I have the right to revoke or terminate this Power at any time.

This Durable General Power of Attorney is executed by me on this 30th day of April, 2013, at Douglas County, Nevada.

Richard B. Luippold
RICHARD BARTHEL LUIPPOLD

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on April 30, 2013, by RICHARD BARTHEL LUIPPOLD.

Gregory M. Hiller
NOTARY PUBLIC

GREGORY M. HILLER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 09-25304-2 - Expires September 27, 2015