**DOUGLAS COUNTY, NV** 

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**ORTRIS** 

KAREN ELLISON, RECORDER

## POWER OF ATTORNEY (BORROWER/BUYER)

KNOW ALL MEN BY THESE PRESENTS, that David Howard Lampert, whose address is 993 Bella Rosa Drive, Minden, NV 89423, do hereby constitute and appoint Elizabeth Irene Lampert, whose address is 993 Bella Rosa Drive, Minden, NV 89423, my/our true and lawful attorney in fact for me/us, in my/our stead and on my/our behalf, to do all things as I/we might if personally present, to-wit:

1. To buy, purchase, procure, acquire, mortgage, encumber, rent or lease certain property, more fully described as the premises situated in the City of Minden County of Douglas, State of Nevada, to wit:

Lot 59, in Block I, as set forth on the final subdivision map planned unit development PD 02-04 for La Costa at Monte Vista Phase 1, filed for record in the office of the Douglas County Recorder, State of Nevada, on April 25, 2005 in Book 0405, at Page 9815, as Document No. 642625 of official records

Parcel ID: 1320-30-612-008

More commonly known as: 993 Bella Rosa Drive, Minden, Nevada 89423

For such price and on such terms and conditions as he/she shall deem proper.

- To act for me/us and execute all documents, including but not limited to deeds, land contracts, leases, closing
  and settlement papers, RESPA statements, purchase agreements, mortgages, Notes, and all other related
  documents necessary for the purchase and/or mortgage of said property.
- To collect rents, land contract payments, sale proceeds, mortgage proceeds and all other proceeds that derive from my/our interest as set forth above.
- 4. Giving and granting unto my/our said attorney full power and authority to do and perform all and every act and thing whatsoever to all intents and purposes requisite and necessary to be done in and about the premises as fully as I/we might or could do if personally present, and hereby ratify and confirm all that my/our said attorney shall lawfully do or cause to be done by virtue of these presents.

Third parties may rely upon the representation of my agent as to all matters relating to any power granted to my agent, and no person who may act in reliance upon the representation of my agent or the authority granted to my agent shall incur any liability to me or my estate as a result of permitting my agent to exercise any power, and for the purpose of inducing third parties to rely on this power of attorney, I warrant that, if this power is revoked by me or otherwise terminated, I will indemnify and hold such third parties harmless from any loss suffered or liability incurred by such third parties in good faith reliance on the authority of my agent prior to such third party's actual knowledge of revocation or termination of this power of attorney whether such termination is by operation of law or otherwise. This warranty shall bind my heirs, devisees and personal representatives.

Disability of Principal. This power of attorney shall not be affected by my/our disability. The authority of my/our agent shall be exercisable notwithstanding my/our later disability or incapacity or later uncertainty as to whether I/we am/are alive. Any act done by my/our agent during any period of my/our disability or incompetence or during any period or uncertainty as to whether I/we am/are alive shall have the same effect as though I/we was/were alive, competent and not disabled, and shall inure to the benefit of and bind me/us, my/our heirs, devisees, and personal representatives.

Date: <u>5 - 9 - 19</u>

Witness

Witness

David Howard Lamper

State of <u>Calarado</u> )ss.
County of <u>Montrese</u> )

The foregoing instrument was acknowledged before me on 65/09/2019 by David Howard Lampert

Notary Public: Desire McKidder
Notary County: Montrose State: Co
Commission Expires: O6/13/2020
Acting In: Colorado

DESIREE McKIBBEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164022360
My Commission Expires June 13, 2020

## **ACKNOWLEDGMENT OF RESPONSIBILITIES**

I, Elizabeth Irene Lampert, have been appointed as attorney-in-fact for David Howard Lampert, the principal, under a durable power of attorney dated 5/92019. By signing this document, I acknowledge that if and when I act as attorney-in-fact, all of the following apply:

- (a) Except as provided in the durable power of attorney, I must act in accordance with the standards of care applicable to fiduciaries acting under durable powers of attorney.
- (b) I must take reasonable steps to follow the instructions of the principal.
- (c) Upon request of the principal, I must keep the principal informed of my actions. I must provide an accounting to the principal upon request of the principal, to a guardian or conservator appointed on behalf of the principal upon the request of that guardian or conservator, or pursuant to judicial order.
- (d) I cannot make a gift from the principal's property, unless provided for in the durable power of attorney or by judicial order.
- (e) Unless provided for in the durable power of attorney or by judicial order, I, while acting as attorney-in-fact, shall not create an account or other asset in joint tenancy between the principal and me.
- (f) I must maintain records of my transactions as attorney-in-fact, including receipts, disbursements, and investments.
- (g) I may be liable for any damage or loss to the principal, and may be subject to any other available remedy, for breach of fiduciary duty owed to the principal. In the durable power of attorney, the principal may exonerate me of any liability to the principal for breach of fiduciary duty except for actions committed by me in bad faith or with reckless indifference. An exoneration clause is not enforceable if inserted as the result of my abuse of a fiduciary or confidential relationship to the principal.

(h) I may be subject to civil or criminal penalties if I violate my duties to the principal.

Signature:

Elizabeth Irona Lamport

Dated

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