DOUGLAS COUNTY, NV

2019-939836

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NANCY REY JACKSON, ESQ

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Recording Requested by Nancy Rey Jackson, Esq 1591 Mono Ave Minden, NV 89423



KAREN ELLISON, RECORDER

REVOCATION OF DURABLE POWER OF ATTORNEY

OF

FREDA JEAN GARRETT

EXECUTED ON MARCH 23, 2016

I, Freda Jean Garrett, am the principal in the Power of Attorney signed by me on March 23, 2016.

Pursuant to Article Two, Section 2.03(ii) of the document, I hereby revoke the Power of Attorney granted on the above-mentioned date. I specifically revoke all authority granted to the designated attorney-in-fact, Angela G. McElroy, as provided in the March 26, 2016, document. Angela McElroy shall have no authority to act under that Power of Attorney.

I hereby restore the Power of Attorney I signed on February 26, 1998, a copy of which is attached hereto. That Power of Attorney shall be effective upon my signing this Revocation.

As my husband Harvey E. Garrett has sadly passed away, my daughters DEBRA L. HIGGINSON and ANGELA G. McELROY shall serve as co-Attorneys-in-Fact as provided in the Durable Power of Attorney signed on February 26, 1998.

Dated this 18 day of December, 2019.

FREDA J. GARRETT

STATE OF NEVADA)
)ss
COUNTY OF DOUGLAS)

NOTARY PUBLIC

Exhibit

DURABLE POWER OF ATTORNEY

I, FREDA J. GARRETT, appoint HARVEY E. GARRETT my true and lawful attorneyin-fact, (hereinafter referred to as 'agent') for me and in my name, to do any and all acts which I could do if personally present. Until I am certified as incapacitated as provided hereunder, this Power of Attorney shall have no force or effect. All authority granted in this Power of Attorney shall be subject to establishment of incapacity as provided hereunder. After this Power of Attorney becomes effective, it shall not be affected by any subsequent incapacity which I may hereafter suffer or the passage of time. For purposes of establishing incapacity, whenever two licensed, practicing medical doctors who are not related to me or to any beneficiary or heir at law by blood or marriage certify in writing that I am unable to manage my financial affairs because of mental or physical infirmity and the certificates are personally served upon me, then the agent named herein shall assume all powers granted in this Power of Attorney. However, even after receipt of the doctors' certificates, I retain the right to revoke this Power of Attorney at any time. Anyone dealing with the agent may rely upon written medical certificates or a photocopy of them presented to them along with the original Power of Attorney document, and shall incur no liability for any dealings with any designated agent in good faith reliance on said certificates and the original Power of Attorney document. This provision is inserted in this document to encourage third parties to deal with my agent without the need for court proceedings.

If HARVEY E. GARRETT is unable or unwilling to act as agent then DEBRA L. HIGGINSON and ANGELA G. MCELROY shall act with all rights and responsibilities given to the original agent. If a co-agent is unable or unwilling to act, the remaining co-agent(s) shall serve, with like power. My agent(s) shall act without bond.

My agent may perform for me and in my name and on my behalf any act in the management, supervision, and care of my estate and affairs that I personally have authority to perform. My agent may exercise for me and in my name and on my behalf the powers enumerated below, which are intended to illustrate, and not to limit, the scope of this power. This power of attorney shall apply to all property owned by me, whether title is held as sole owner, as a joint tenant, as a tenant in common, as trustee of a revocable living trust, or otherwise.

- A. <u>SECURITIES</u>: My agent may buy, sell, pledge, exchange, assign, option, or otherwise transfer any securities of any kind; deal with any broker, banker, or other agent; receive all dividends and interest payments now or hereafter due or payable to me from any security or other indebtedness or investment; vote stock and otherwise represent me at all meetings of shareholders or companies or corporations in which I have an interest; sign proxies or other instruments; tender my resignation as director or officer; subscribe to shares of stock, and execute request for payment of United States Savings Bonds, and surrender paid securities and receive the proceeds thereof.
- B. <u>ACCOUNTS</u>: My agent may open, continue, maintain, change, or close any account, including without limitation any checking or savings account, certificate of deposit, share

Exhibit

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account, and other like arrangement with any bank, trust company, savings bank, building and loan association, savings and loan association, credit union, or other financial institution; make deposits and withdrawals by check, draft, or otherwise; and endorse checks, notes, and drafts for deposit, collection, or otherwise.

- C. <u>BENEFITS</u>: My agent may apply for and receive any government, insurance and retirement benefits to which I may be entitled. My agent may also exercise any right to elect benefits or payment options, to terminate, to change beneficiaries or ownership, to assign rights, to borrow or receive cash value in return for the surrender of any or all rights under any of the following: Life insurance policies or benefits; annuity policies, plans or benefits; mutual fund or other dividend investment plans; and retirement, profit sharing and employee plans and benefits.
- D. <u>DEEDS</u>: My agent may sign, execute, deliver and acknowledge such deeds, deeds of trust, covenants, indentures, agreements, mortgages, pledge agreements, notes, receipts, checks, bills of exchange, evidence of debts, releases and satisfactions of mortgage debts, judgment debts and other debts.
- E. OTHER PROPERTY, INCLUDING REAL ESTATE: My agent may sell, exchange, option, and convey my real and personal property, wherever located; execute and deliver deeds of general warranty, with the customary covenants for such property; manage and control my real and personal property, wherever located; negotiate, execute, and deliver any leases of my property; demand and collect rents; buy every kind of property, real or personal; arrange for appropriate disposition, use, insurance, and safekeeping of all my property; settle, compromise, and adjust insurance claims; borrow money in my name, and to receive such loans by real estate mortgage or by other collateral. My agent may also purchase medical insurance for any dependent of mine.
- F. TRANSFER OF ASSETS: My agent may transfer from time to time some or all of my assets to the trustee or trustees of any revocable trust that I may have established or may establish in the future, regardless of the extent or limitations on my beneficial interests in that trust, to be administered in accordance with the terms thereof, and may manage the assets of said trust as if they were my solely owned assets.
- G. <u>OPERATION OF BUSINESS</u>: My agent may continue the operation of any business belonging to me or in which I have a substantial interest for such time and in such manner as my agent may deem advisable or to sell or liquidate any business or interest herein, at such time and on such terms as my agent may deem advisable and in my best interests.
- H. <u>COLLECTION AND LITIGATION</u>: My agent may demand and collect all property, real or personal, now or hereafter due, payable, or belonging to me; contest, compromise, settle, or abandon claims in my favor or against me; give receipts, releases, and discharges; commence, pursue, or oppose any action, suit, or legal proceeding relating to

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any matter in which I am or may hereafter be interested; and compromise, settle, or submit to judgment any such action or proceeding.

- TAXES: My agent may represent me before any office of the Internal Revenue Service T. or the Treasury Department of the United States and before the tax department of any state, county, or municipality with regard to any tax with which I am concerned. In particular without limitation, my agent may represent me in connection with any federal income tax return, Form 1040, for all tax years between 1950 and 2050, inclusive; any federal gift tax returns, Form 709, for all tax years between 1950 and 2050, inclusive; any Nevada income tax return, for all tax years between 1950 and 2050, inclusive; and any Nevada gift tax return, for all tax years between 1950 and 2050, inclusive. My agent may perform all acts that I can perform with respect to any tax matters without limitation. My agent may prepare, sign, and file any tax return; receive originals of all notices and other written communications; negotiate and make compromises; file claims; receive, endorse, and collect checks; receive and examine confidential information; and take appeals, file protests, and execute waivers and closing agreements. My agent may consent on my behalf to have any gift made by my spouse considered as made by each of us under section 2513 of the Internal Revenue Code.
- J. <u>SAFE DEPOSIT BOX</u>: My agent shall have access to any safe deposit box of mine (whether the box is held in my name alone, in my revocable trust, or jointly with another or others) wherever located, and may remove the contents and surrender the box on my behalf. Any institution in which a safe deposit box of mine is located is not liable to me or my heirs or estate for permitting my agent to exercise this power.
- K. <u>POST OFFICE</u>: My agent shall be able to request and authorize the post office to forward my mail to whatever address my agent may deem advisable.
- L. <u>SOCIAL SECURITY</u>: My agent may represent and act for me before the Social Security Administration of the United States, and any similar agency of a state or local government; collect all Social Security benefits due me; and make such arrangements in connection with Social Security benefits including without limitation Medicaid and Medicare as will facilitate their application to my care and support.
- M. <u>EMPLOYMENT OF AGENTS</u>: My agent may employ and dismiss agents, attorneys, investment advisors, accountants, housekeepers, and other persons, and terminate any agency that I may have created at any time.
- N. <u>FIDUCIARY POSITIONS</u>: My agent may renounce any fiduciary positions to which I have been or may be appointed, including, but not limited to personal representative, trustee, guardian, conservator, attorney-in-fact and officer or director of a corporation; to resign such positions in which capacity I am presently serving, and to file an accounting with a court of competent jurisdiction, or settle on a receipt or release or other informal method as my agent deems advisable.

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- O. <u>NOMINATION OF GUARDIAN</u>: In accordance with Nevada Statutes, as it may be amended from time to time, I nominate my agent to serve as my guardian, conservator, or in any similar capacity to serve without bond or security.
- P. <u>SEVERABILITY</u>: The invalidity of a provision of this power of attorney shall not affect another provision.
- Q. <u>POWER OF APPOINTMENT</u>: My agent may exercise any power of appointment given to me, whether by will or by trust agreement.
- R. <u>GIFTING</u>: My agent may make gifts to third parties or to the agent(s) as individual(s), as the agent(s), in the sole discretion of the agent, deem appropriate, provided said gifts qualify for the annual exclusion under Sections 2503(b), 2503(c) or 2503(e) of the Internal Revenue Code of 1986, including amendments thereto.
- S. <u>COMPENSATION</u>: My agent shall be reimbursed for all reasonable costs and expenses actually incurred and paid under this power of attorney. My agent shall act with reasonable compensation.
- T. RIGHTS UNDER COMMUNITY PROPERTY LAW, INCLUDING RIGHT OF MANAGEMENT AND CONTROL: My agent may exercise any management and control over community property or other property, as well as any other right I retain under the community property law. Further, my agent may enter into or amend existing agreements with my spouse or the personal representative of the estate of my spouse as to classification of property under community property law.

THIS POWER OF ATTORNEY SHALL NOT BE AFFECTED BY MY SUBSEQUENT DISABILITY, INCAPACITY, OR INCOMPETENCY.

I hereby declare that any act or thing lawfully done hereunder by my said agent(s) shall be binding upon myself, my heirs, legal and personal representatives and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th day of February, 1998 at the City of Gardnerville, County of Douglas, Nevada.

WITNESSES:

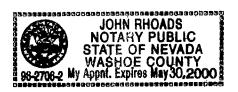
George Mitchell.

FREDA J. GARRETT

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STATE OF NEVADA)
) SS:
COUNTY OF DOUGLAS)

Personally came before me this 26th day of February, 1998, the above named FREDA J. GARRETT, to me known to be the person who executed the foregoing instrument and acknowledge the same.



John Rhoads, Notary Public Washoe County, Nevada My Commission expires 5/30/00

This instrument was drafted by
Lifeline Estate Services, Inc.
1575 Delucchi Lane, Suite 210, Reno, Nevada 89502

