

DOUGLAS COUNTY, NV

2021-972075

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STEWART TITLE COMPANY - NV

KAREN ELLISON, RECORDER

<b>A.P.N. No.:</b>	1220-22-310-064
<b>File No.:</b>	1304724 WLD
<b>Recording Requested By:</b>	
Stewart Title Company	
<b>When Recorded Mail To:</b>	
Marica and Clifford Wallick	
P.O. Box 16583	
South Lake Tahoe, CA 96151	

(for recorders use only)

**POWER OF ATTORNEY**

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law:

\_\_\_\_\_  
(State specific law)

*Miranda Bowlen, Assistant*

\_\_\_\_\_  
Miranda Bowlen

\_\_\_\_\_  
Escrow Assistant

This page added to provide additional information required by NRS 111.312 Sections 1 - 2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

# DURABLE POWER OF ATTORNEY FOR MANAGEMENT OF PROPERTY

I, **CLIFFORD P. WALLICK**, currently a resident of El Dorado County, California, hereby appoint **MARCIA A. WALLICK** as my attorney in fact. If **MARCIA A. WALLICK** dies, resigns, or is unwilling or unable to act because of incapacity or otherwise, I appoint **ROBIN L. GILMORE** as my attorney in fact.

All references in this document to "my attorney in fact" refer to the attorney in fact acting at the pertinent time.

I intend by this power of attorney to create a durable power of attorney pursuant to the California Power of Attorney Law, but specifically not including the provisions of that law relating to durable powers of attorney for health care. This power of attorney will be effective immediately on its execution and will not be affected by my subsequent incapacity.

I give my attorney in fact the powers specified in this power of attorney with the understanding that they will be exercised for my benefit, on my behalf, and solely in a fiduciary capacity.

## ARTICLE ONE POWERS

Section 1.01. Construction of Powers Generally. Except as otherwise limited or extended in this power of attorney, I give my attorney in fact the power to do all of the following:

(a) Demand, receive, and obtain by litigation or otherwise, money or other things of value to which I am, may become, or claim to be entitled, and conserve, invest, disburse, or use anything so received for the purposes intended.

(b) Contract in any manner with any person on terms agreeable to my attorney in fact, to accomplish a purpose of a transaction, and perform, rescind, reform, release, or modify the contract or another contract made by me or on my behalf.

(c) Execute, acknowledge, seal, and deliver a deed, revocation, mortgage, lease, notice, check, release, or other instrument my attorney in fact considers desirable to accomplish a purpose of a transaction.

(d) Prosecute, defend, submit to arbitration, settle, and propose or accept a compromise with respect to, a claim existing in my favor or against me or intervene in litigation relating to the claim.

(e) Seek on my behalf the assistance of a court to carry out an act authorized by this power of attorney.

(f) Engage, compensate, and discharge an attorney, accountant, expert witness, or other assistant.

(g) Keep appropriate records of each transaction, including an accounting of

receipts and disbursements.

(h) Prepare, execute, and file a record, report, or other document my attorney in fact considers desirable to safeguard or promote my interest under a statute or governmental regulation.

(i) Reimburse my attorney in fact for expenditures properly made by my attorney in fact in exercising the powers granted by this power of attorney.

(j) In general, do any other lawful act.

Section 1.02. Real and Personal Property. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 described in California Probate Code Sections 4451 and 4452, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.03. Securities. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 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 described in California Probate Code Section 4453, except acts that conflict with or are limited by a more specific provision in this power. For purposes of this section, the term "securities" includes stocks, bonds, mutual funds, and all other types of securities and financial instruments.

Section 1.04. Commodity Futures and Options. I give my attorney in fact the power to take any actions that my attorney in fact considers necessary or desirable with respect to any commodity futures contracts and options that I own when this power becomes effective, or that are acquired thereafter, including the power to purchase, sell, or exercise commodity futures contracts and options; establish, modify, and terminate option accounts with a broker; and perform any other acts described in California Probate Code Section 4454, except acts that conflict with or are limited by a more specific provision in this power. For purposes of this section, the term "options" means call and put options on stocks and stock indexes traded on a regulated option exchange.

Section 1.05. Financial Institutions. I give my attorney in fact the power to take



any actions that my attorney in fact considers 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 traveler's checks and letters of credit; extend payment periods with respect to commercial paper; and perform any other acts described in California Probate Code Section 4455, except acts that conflict with or are limited by a more specific provision in this power. For purposes of this section, 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.

Section 1.06. Business Operations. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 my 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 described in California Probate Code Section 4456, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.07. Insurance and Annuities. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 herself 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 any other acts described in California Probate Code Section 4457, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.08. Estate, Trust, and Other Beneficiary Transactions. I give my



attorney in fact the power to take any actions that my attorney in fact considers 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 California Probate Code Section 13502 or 13503; and perform any other acts described in California Probate Code Section 4458, except acts that conflict with or are limited by a more specific provision in this power. For purposes of this section, the term "estate or trust" means all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship, or other fund in or from which I am, may become, or claim to be entitled, as a beneficiary, to a share or payment. The powers described in this section do not include the power to create, modify, or revoke trusts.

Section 1.09. Claims and Litigation. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 described in California Probate Code Section 4459, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.10. Personal and Family Maintenance. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 usual 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 described in California Probate Code Section 4460, except acts that conflict with or are limited by a more specific provision in this power, subject to Section 1.18.

Section 1.11. 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 that my attorney in fact considers 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 described in California Probate Code Section 4461, except acts that conflict with or are limited by a more specific provision in this power. For purposes of this section, the term "government benefits" means benefits from Social Security, Medicare, Medi-Cal, or other governmental programs, or from civil or military service.

Section 1.12. Retirement Plans. I give my attorney in fact the power to take any actions that my attorney in fact considers 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 herself as the beneficiary; make voluntary contributions to the plan; make rollovers from 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 described in California Probate Code Section 4462, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.13. Tax Matters. I give my attorney in fact the power to do all of the following:

(a) Prepare, sign, and file federal, state, local, and foreign income, gift, payroll, FICA returns, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and any other tax-related documents, including receipts, offers, waivers, consents (including consents and agreements under Internal Revenue Code Section 2032A or any successor section), closing agreements, and any power of attorney required by the Internal Revenue Service or other taxing authority with respect to a year beginning with and including the year 2010 and ending with and including the year 2030.

(b) Pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service or other taxing authority for any of the taxes and tax periods specified above.

(c) Exercise any election I may have under federal, state, local, or foreign tax law.

(d) Act for me in all tax matters before the Internal Revenue Service and any

other taxing authority for any of the taxes and tax periods specified above.

(e) Perform any other acts described in California Probate Code Section 4463, except acts that conflict with or are limited by a more specific provision in this power.

Section 1.14. Property Acquired After Execution and Property Located and Powers Exercised Outside State. The powers granted to my attorney in fact in this power of attorney are exercisable equally with respect to an interest I have when this power of attorney is executed or one that I acquire later, whether or not the property is located in California, and whether or not the powers are exercised or the power of attorney is executed in this state.

Section 1.15. Power to Create, Modify, and Revoke Trusts. I give my attorney in fact the power to take any action that my attorney in fact considers 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 issue, 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 section must 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.

Section 1.16. Pets. I give my attorney in fact the power to house, or arrange for the housing, support, and maintenance of, any animals that I own or have custody of and to pay reasonable boarding, kenneling, and veterinary fees for such animals.

Section 1.17. Funeral and Burial Arrangements. I give my attorney in fact the power to arrange for my funeral or other memorial service and for burial or cremation of my remains, including the purchase of a burial plot or other place for interment of my remains or ashes.

Section 1.18. Nomination of Conservator. If proceedings are initiated for the appointment of a conservator of my person or my estate or both, I nominate my then acting attorney in fact as conservator of my person, estate, or person and estate. I waive the requirement of a bond if the attorney in fact is appointed as conservator of my estate. I request that, if the attorney in fact is appointed conservator of my estate, the court make an order granting to that person all or as many of those independent powers listed in California Probate Code Section 2591 as the court deems appropriate.



Section 1.19. 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 of this power, to the extent that a principal can act through an agent. This section does not authorize my attorney in fact to make health care decisions, as defined in California Probate Code Section 4617.

Section 1.20. Incidental Powers. In connection with the exercise of any of the powers described in the preceding sections, I give my attorney in fact full authority, to the extent that a principal can act through an agent, to take all actions that she believes necessary, proper, or convenient, to the extent that I could take these actions myself, including the following powers:

- (a) To prepare, execute, and file documents and maintain records;
- (b) To enter into contracts;
- (c) To hire, discharge, and pay reasonable compensation to attorneys, accountants, expert witnesses, or other assistants;
- (d) To engage in litigation regarding a claim in favor of or against me;
- (e) To execute, acknowledge, seal, and deliver any instrument; and
- (f) To perform any other acts described in California Probate Code Section 4450, except those acts that conflict with or are limited by a more specific provision in this power.

Section 1.21. Restrictions on Property Management Powers. Notwithstanding any other provision of this power, my attorney in fact does not have any of the following powers related to property management:

- (a) To 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 also, along with my attorney in fact, owe a duty of support.
- (b) To exercise any incident of ownership over any insurance policy that I own and that insures the life of my attorney in fact.
- (c) To exercise the powers of a trustee under an irrevocable trust of which my attorney in fact is the settlor and of which I am a trustee.

## **ARTICLE TWO AMPLIFYING PROVISIONS**

Section 2.01. Reimbursement for Costs and Expenses. My attorney in fact will be entitled to reimbursement from my property for expenditures properly made in performing the services conferred by me in this power. My attorney in fact must keep records of any such expenditures and reimbursement.



Section 2.02. Reliance by Third Parties. To induce third parties to rely on 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 on this power for damages or liability incurred as a result of that reliance.

Section 2.03. 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 contracts, promissory notes, checks, or other bills of exchange, drafts, other obligations, stock powers, instruments, and other documents signed, endorsed, drawn, accepted, made, executed, or delivered by my attorney in fact will bind me, my estate, my heirs, successors, and assigns.

Section 2.04. Exculpation of Attorney in Fact. My attorney in fact will not be liable to me or any of my successors in interest for any action taken or not taken in good faith, but will be liable for any willful misconduct or gross negligence.

Section 2.05. Revocation and Amendment. I revoke any and all durable powers of attorney for property management and personal care (but not durable powers of attorney for health care) that I have executed before executing this power of attorney. I retain the right to revoke or amend this power and to substitute other attorneys in fact in place of my attorney in fact. Amendments to this power of attorney must be made in writing by me personally (not by my attorney in fact). They must be attached to the original of this document and, if the original is recorded, must be recorded in the same county or counties as the original, although failure to record any amendment will not alter its effect.

### ARTICLE THREE GENERAL PROVISIONS


Section 3.01. Signature of Attorney in Fact. My attorney in fact must use the following form when signing on my behalf pursuant to this power: **"CLIFFORD P. WALLICK by MARCIA A. WALLICK, his attorney in fact."**

Section 3.02. Severability. If any of the provisions of this power are found to be invalid for any reason, that invalidity will not affect any of the other provisions of this power, and all invalid provisions will be wholly disregarded.

Section 3.03. Governing Law. This power of attorney is executed according to the provisions of the Power of Attorney Law of California, and all questions relating to the validity, interpretation, and administration of this power will be determined in accordance with that Law.



Dated: 5/28, 2021

X   
CLIFFORD P. WALLICK

COOPY

**ACKNOWLEDGMENT**

State of California ) County of El Dorado )

*A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

On 5/28/21, 2021, before me, Lea C. Rubin,  
Notary Public, CLIFFORD P. WALLICK, 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(ies), 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.

Lea C. Rubin Notary Public

