



Document 2015 2159

Book 2015 Page 2159 Type 06 008 Pages 6  
Date 7/31/2015 Time 11:10:43AM  
Rec Amt \$32.00

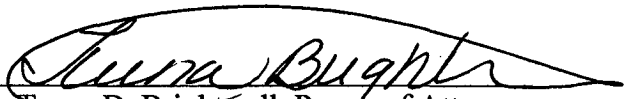
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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

✓ **Return To:** Marianne Fons, 216 W. Jefferson Street, Winterset, IA 50273  
**Preparer:** Jonathan Kramer, 317 6th Avenue, Suite 1200, Des Moines, IA 50309, (515) 288-6041  
**Taxpayer:** Marianne Fons, 216 W. Jefferson Street, Winterset, IA 50273

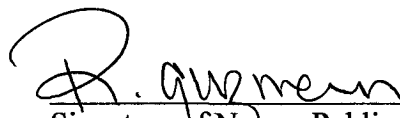
**AFFIDAVIT OF POWER OF ATTORNEY**

I, Teena Brightwell, do swear under oath and upon my own personal knowledge that I am the power of attorney for my father, Danny J. Garner, pursuant to that certain Durable General Power of Attorney Effective Immediately, executed by Danny J. Garner on January 6, 2014. A true and accurate copy of such power of attorney is attached hereto. I further affirm and state that as of the date and time I am signing this Affidavit of Power of Attorney and the Warranty Deed recorded at the same date and time, Danny J. Garner is alive, and that the above references power of attorney has not been revoked or amended.

  
Teena D. Brightwell, Power of Attorney  
For Danny J. Garner

STATE OF WASHINGTON, COUNTY OF YAKIMA:

This record was acknowledged before me this 28th day of July, 2015, by Teena D. Brightwell,.

  
Signature of Notary Public

**Notary Public**  
**State of Washington**  
**Rocio Guzman**  
**Commission Expires 09-12-15**

**DURABLE GENERAL POWER OF ATTORNEY  
EFFECTIVE IMMEDIATELY**

I, **DANNY J. GARNER**, a resident of the State of Washington, hereby appoint **TEENA D. BRIGHTWELL** as my attorney-in-fact (hereafter my "Agent"). If she is unable or unwilling to act or to continue to act as my Agent, then I appoint **TRACY J. MOORE** as my successor Agent. Each Agent shall have the power to designate in writing a successor Agent to act if both persons named herein become unable or unwilling to act.

Each successor Agent shall have the same powers and authority and be subject to the same limitations granted to and imposed upon Teena hereunder, and each successor Agent shall be relieved of liability and his or her acts ratified to the same extent as provided with respect to Teena. Any person or institution dealing with a successor Agent shall be entitled to rely on such successor's written statement that all persons with priority are unable or unwilling to serve at such time.

**ARTICLE 1  
GRANT OF POWERS**

I give my Agent full power and authority to do anything I could do as the absolute owner of my assets and liabilities. My Agent is expressly authorized to do the following:

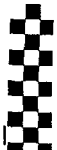
1.1 To transfer, sell, purchase, lease, encumber, assign, exchange, and convey, or exercise any option, election, privilege, or power with respect to any or all of my property, real and personal, tangible and intangible, within or without the State of Washington (including specifically my homestead interest in any real property), as my Agent deems appropriate.

1.2 To withdraw any or all funds from and deposit funds in any savings or checking account in my name alone or in joint names, and to endorse checks for deposit in any account in my name alone or in joint names.

1.3 To enter, and to remove any property from, any safe deposit box in my name or in joint names.

1.4 To ask, demand, sue for, and receive all sums of money which are or shall become due, owing, or payable to me, or which belong or shall belong to me, whether social security benefits, pension payments, dividends, interests, annuities, debts, or any other receivables, and to use all lawful ways and means in my name for the recovery thereof.

1.5 With respect to any account with any brokerage firm: (a) to buy, sell (including short sales), trade in, receive, and deliver securities or commodities and/or contracts for commodities or securities, and to order their receipt from and delivery to others, in accordance with such firm's terms and conditions; (b) to receive and make payments for my account and to order payments to, and the receipt of payments from, others for my account; and (c) to receive, approve, and confirm any and all notices and demands of every nature intended for me. I hereby consent to the supervision by such firm of any or all transactions with respect to my account, but



neither this consent nor any act of supervision by such firm shall obligate it to, or imply that it should, supervise each and every transaction.

1.6 To make, sign and submit all federal and state income tax and gift tax returns on my behalf and to pay all such taxes as may be due; to represent me during audits, appeals, and lawsuits related to any income or gift tax return filed on my behalf and to pay any assessments for interest or penalties levied against me in connection with such tax returns; and to complete and execute Internal Revenue Service Form 2848 (or any similar form granting authority to act for me) and to act as Agent thereunder, with respect to any tax year and tax liability of mine.

1.7 To disclaim any interest, as defined in Chapter 11.86 of the Revised Code of Washington, or any successor sections thereto, in any property to which I would otherwise succeed, whether outright, in trust, or otherwise, so long as in the sole discretion of the Agent such disclaimer would not be detrimental to my best interests and would be in the best interests of those interested in my estate and of those who take as a result of any such disclaimer.

1.8 To exercise or release any power retained by me as the trustor of any trust, including but not limited to providing direction to the trustee regarding trust administration or distributions, consenting to actions involving trust property, changing a trustee, or waiving or releasing grantor trust powers.

1.9 To act as my representative for all purposes related to my interest as a beneficiary of an estate or trust, including but not limited to the power (a) to request and receive on my behalf all notices, information and reports available to me as a beneficiary; (b) to object to any such notice, information or report for the purpose of protecting my beneficial interest; (c) to remove or appoint a trustee; and (d) to consent or object to any proposed action by a trustee.

1.10 To act as my representative with respect to any estate, trust or other matter defined in RCW 11.96A in which I have an interest, including the power to execute an agreement modifying, terminating or otherwise affecting the administration the estate, trust or other matter, if my Agent determines that the action is in my best interest.

1.11 Subject to the provisions of Article 3, to establish, modify, fund, convert, select a payment option under, make an election under, receive payment from, make a rollover to, or take any other action I might take with respect to a retirement plan if my Agent determines that the action is in my best interest.

1.12 To access my digital accounts for any purpose, including but not limited to communicating with my family and friends, maintaining and protecting my assets, paying bills, requesting the contents of an account, canceling an account, changing a password, and making a withdrawal from or contribution to an account.

## ARTICLE 2 EFFECTIVE DATES OF AUTHORITY

This power is effective immediately and shall not be affected by my disability or incapacity or by any uncertainty as to whether I am dead or alive.

ARTICLE 3  
LIMITATIONS UPON AUTHORITY OF AGENT

Except as otherwise expressly provided for herein, the only limitation upon the power and authority granted herein to my Agent is that such Agent shall not have any power to change the dispositive provisions of any will, codicil, trust, or any other testamentary document I have executed or shall execute; provided, however, that if it should be determined by my Agent, in consultation with and with the concurrence of my then acting lawyer, that the existence of (a) any account or document (including any of my life insurance beneficiary designations and retirement plan beneficiary designations) passing property outside of probate or (b) any property held as joint tenants with right of survivorship is inconsistent with my overall estate plan, then my Agent shall have the power to take whatever action is necessary, or to join with the other joint tenant(s) in any such action, to ensure that any such property, the funds in any such account, or any property subject to any such document passes in a manner consistent with my overall estate plan.

In addition, with respect to any life insurance policies insuring the life of the Agent and owned by me, this power of attorney shall not authorize or empower the Agent to exercise any incidents of ownership over the same.

ARTICLE 4  
RATIFICATION

I hereby ratify and approve any act or failure to act of my Agent, and any such act done by such Agent at any time (including but not limited to any period of disability or incapacity at law or uncertainty as to whether I am dead or alive) shall, unless otherwise invalid or unenforceable, have the same effect and bind me and my guardian, heirs, distributees, legatees, devisees, assignees, and personal representative to the same extent as if I had been alive and not disabled or incapacitated at the time of such act.

ARTICLE 5  
NO LIABILITY OF AGENT

My Agent shall have no liability to any person whatsoever, including my personal representative, for any action taken in good faith by such Agent in such capacity, for any good faith failure to act in such capacity, or for any action taken or not taken by me at any time when I either have capacity or am disabled. My estate shall hold harmless and indemnify my Agent from any and all liability for acts done in good faith and not in fraud on my behalf.

ARTICLE 6  
APPOINTMENT OF GUARDIAN OF PERSON OR ESTATE

6.1 While I hope that by executing this instrument I will have obviated the need for a guardianship of my estate, if it should become necessary that a guardian of my estate be appointed, then I request and desire that the Court, except for good cause or disqualification, appoint the person acting as my Agent hereunder as the guardian of my estate.

6.2 While I hope that by executing my Medical Power of Attorney I will have obviated the need for a guardianship of my person, if it should become necessary that a guardian of my person be appointed, then I request and desire that the Court, except for good cause or disqualification, appoint the person then acting as my Agent under my Medical Power of Attorney as the guardian of my person.

#### ARTICLE 7 RELEASE OF INFORMATION

If at any time a lawyer acting on my behalf becomes concerned that I may be disabled or under the undue influence of any person or persons, then I authorize (but do not direct) him or her to contact an appropriate health care professional and/or a member of my family to investigate such concern. I specifically release my lawyer from any liability for releasing information which might otherwise be subject to the attorney/client privilege if he or she reasonably believes it is necessary or advisable under the circumstances.

#### ARTICLE 8 REVOCATION

8.1 I hereby revoke any other general durable power of attorney which I may have previously executed.

8.2 I may revoke this power by written instrument at any time, but no such revocation shall be effective until written notice thereof has been received by my Agent. If my Agent receives such a revocation but questions whether I have capacity to revoke this power, then the Agent shall immediately request me in writing to provide the Agent with a written certificate signed by my then acting regular attending physician to the effect that I am able to manage my own affairs; only until my Agent is provided with such a certificate may the Agent continue to act pursuant to this power. In addition to the requirements set forth herein for revocation of this power, if this power has been recorded, then no written revocation of this power shall be effective as to third parties until written notice of revocation has been recorded in the county where the power was originally recorded.

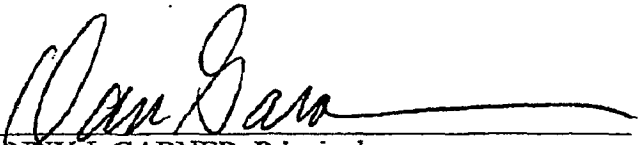
8.3 The appointment of a guardian of my estate vests in the guardian, with court approval, the power to revoke, suspend, or terminate this power of attorney. The appointment of a guardian of the person only does not empower the guardian to revoke, suspend, or terminate this power of attorney.

8.4 My death shall revoke this power of attorney as to my Agent upon actual knowledge of my death being received by my Agent.

ARTICLE 9  
GOVERNING LAW

The laws of the State of Washington and, in particular, Chapter 11.94 of the Revised Code of Washington, and any successor sections thereto, shall govern this power of attorney in all respects.

DATED: January 6, 2014.

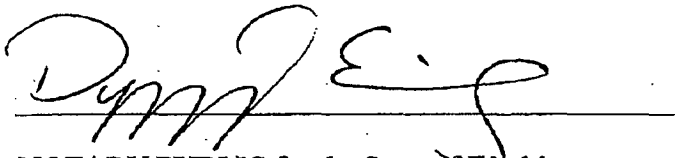
  
DANNY J. GARNER, Principal

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF YAKIMA        )

I certify that I know or have satisfactory evidence that DANNY J. GARNER is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: January 6, 2014.



  
NOTARY PUBLIC for the State of Washington,  
residing at Yakima.  
My appointment expires: August 29, 2016.