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Sep 18, 2023 04:34 PM

OFFICIAL RECORDS
JORDAN Z. MARKS,

SAN DIEGO COUNTY RECORDER
FEES: \$41.00 (SB2 Atkins: \$0.00)

PAGES: 10

RECORDING REQUESTED BY:

Chicago Title Company - SD
737230002873-PM

AND WHEN RECORDED
MAIL TO:

Planning Advisory Services
LLC
418 Chapala Street, Suite C
Santa Barbara, CA 93101

THIS SPACE FOR RECORDER'S USE

General Power of Attorney

(Please fill in document title(s) on this line)

- 1 Exempt from fee per GC27388.1 due to being recorded in connection with concurrent transfer that is subject to the imposition of documentary transfer tax, or,
- 2 Exempt from fee per GC27388.1 due to being recorded in connection with a transfer that was subject to documentary transfer tax which was paid on document recorded previously on _____ (date*) as document number _____ of Official Records, or,
- 3 Exempt from fee per GC27388.1 due to the maximum fees being paid on documents in this transaction, or,
- 4 Exempt from fee per GC27388.1 due to the maximum fees having been paid on documents in the transaction(s) recorded previously on _____ (date*) as document number(s) _____ of Official Records, or,
- 5 Exempt from fee per GC27388.1, document transfers real property that is a residential dwelling to an owner-occupier, or, document is recorded in connection with concurrent transfer that is a residential dwelling to an owner-occupier, or,
- 6 Exempt from fee per GC27388.1 due to it being recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier. The recorded document transferring the dwelling to the owner-occupier was recorded on _____ (date*) as document number(s) _____
- 7 Exempt from fee per GC27388.1 due to being executed or recorded by the federal government in accordance with the Uniform Federal Lien Registration Act, by the state, or any county, municipality or other political subdivision of the state, or,
- 8 Exempt from the fee per GC 27388.1 (a) (1); Not related to real property, or,
- 9 Exempt from fee under GC27388.1 for the following reasons:

THIS PAGE ADDED TO PROVIDE SENATE BILL 2 EXEMPTION INFORMATION
(Additional recording fee applies)

~~RECORDING REQUESTED BY:~~

AND WHEN RECORDED MAIL TO:

Planning Advisory Services, LLC
418 Chapala Street, Suite C
Santa Barbara, CA 93101

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GENERAL POWER OF ATTORNEY

**ARTICLE I
DESIGNATION OF AGENT**

A. Designation of Agent. I, ELIZABETH VON SUMMER, of Santa Barbara, California, being of sound mind, appoint ALEXANDER POPOVICH as my Attorney-in-Fact (herein referred to as my "Agent") for the purposes set out below.

**ARTICLE II
DECLARATIONS**

A. Revocation of Prior Powers of Attorney. I revoke any prior power of attorney executed by me other than (1) any Advance Health Care Directive or Power of Attorney for Health Care, durable or otherwise, (2) any powers of attorney (whether limited or general) executed on the same date as this General Power of Attorney, (3) any powers of attorney executed solely for purposes of representation before taxing authorities, and (4) any powers of attorney specifically for one or more bank accounts.

B. Effective Date and Duration of Power. The rights, powers and authority of my Agent granted hereunder shall commence and be in full force and effect as of the date of execution hereof and such rights, powers, and authority shall remain in full force and effect thereafter until revoked in accordance with the provisions of the California Power of Attorney Law.

C. Incapacity. This General Power of Attorney shall not be affected by my subsequent incapacity.

D. Intention to Create Durable Power of Attorney. I intend by this instrument to create a durable General Power of Attorney in accordance with the California Power of Attorney Law, subject to any limitations provided herein or by law.

E. Understandings of Principal. I understand that this General Power of Attorney is an important legal document and that:

1. Broad Powers. This document provides my Agent with broad powers to dispose, sell, convey, and encumber my real and personal property;

2. Existence of Powers. The powers granted in this General Power of Attorney will exist for an indefinite period of time unless I limit their duration by the terms of this General Power of Attorney or revoke this General Power of Attorney. This General Power of Attorney will continue to exist notwithstanding my subsequent incapacity;

3. No Duty to Act. My Agent has no duty to act except (a) to complete a transaction that my Agent has commenced or (b) if my Agent and I agree otherwise in writing; and

4. Revocation and Termination. I have the right to revoke or terminate this General Power of Attorney at any time.

ARTICLE III GENERAL STATEMENT OF AUTHORITY GRANTED

I grant to my Agent the power to do and perform in a fiduciary capacity as my Agent may deem advisable anything of any character which I might do or perform for myself if personally present and acting, including, but not limited to, the specific powers set forth below in Articles IV, V and VI, but excluding those matters which my Agent is not permitted to do as expressly provided in this General Power of Attorney or as provided by law.

ARTICLE IV SPECIFIC POWERS RELATING TO PROPERTY

My Agent may exercise the following powers relating to property or interests in property which I now own or may hereafter acquire:

A. Collection of Property. The power to demand, sue for or use other lawful means to obtain, collect, and take possession and control of any sums of money, debts, checks, accounts, interest, dividends, annuities, rents, goods, chattels, inheritances, insurance benefits, social security benefits, unemployment benefits, veteran's benefits and any other claims and rights whatsoever which are now or may hereafter become due, owing, payable or belonging to me, and to compromise, settle, arbitrate, abandon or otherwise deal with any such claims;

B. Sale or Other Disposition of Property. The power to sell, exchange, quitclaim, convert, partition, grant an option on, abandon or otherwise dispose of all or any part of my

real or personal property or my interest in such property, including, but not limited to, automobiles, stocks, bonds and real estate owned by me individually, as a tenant in common, tenant by the entirety or otherwise, upon any terms and conditions;

C. Acquisition and Retention of Investments. The power to acquire and retain for any period of time as investments, without diversification as to kind or amount, any real or personal property, or interest in such property, including an undivided, temporary or remainder interest, income or non-income producing, located within or outside the United States, and including, but not limited to, notes, bonds, debentures, mortgages and other obligations, secured or unsecured, common and preferred stocks, mutual funds (including mutual funds administered or advised by any corporate Agent acting under this General Power of Attorney or affiliate of such corporation), legal and discretionary trust funds, general and limited partnership interests, membership interests in limited liability companies, leases and securities of any corporate Agent or any corporation owning stock of the corporate Agent or of any subsidiary or affiliate of or successor to such corporation;

D. Management of Property. The power to take possession, custody, control and otherwise manage any of my real or personal property, or my interest in such property, including, but not limited to, the power (i) to protect, develop, subdivide and consolidate such property, (ii) to lease such property upon any terms and conditions including options to renew or purchase and for any period or periods of time and to modify, renew or extend any existing leases, (iii) to erect, repair, or make improvements to any building or other property and to remove existing structures, (iv) to establish and maintain reserves for the maintenance, protection and improvements of such property and for other purposes, (v) to initiate or continue farming, mining or timber operations on such property, (vi) to purchase and carry casualty and liability insurance, (vii) to grant or release easements with respect to such property, (viii) to dedicate or withdraw from dedication such property from public use, and (ix) to join with co-owners in exercising any such powers;

E. Business Interests. The power to continue to own, or to form initially, and operate any business interest, whether in the form of a proprietorship, corporation, general or limited partnership, limited liability company, joint venture or other organization, including, but not limited to, the power (i) to effect incorporation, dissolution or other change in the form of the organization of such business interest, (ii) to dispose of any part of such business interest or acquire the interest of others, (iii) to continue, enter into, modify or terminate any agreements relating to any such business interest, and (iv) to invest capital or additional capital in or lend money to such business interest;

F. Borrowing Money. The power (i) to borrow money for my benefit from my Agent, individually, or from others, upon any terms and conditions, (ii) to secure the payment of any amount so borrowed by mortgaging, pledging or otherwise encumbering any of my real or personal property, or my interest in such property, and (iii) to modify, renew or extend the time for payment of any obligation, secured or unsecured, payable by me for any period or periods of time and upon any terms and conditions;

G. Lending Money. The power (i) to lend money to any person upon any terms and conditions, (ii) to modify, renew or extend the time for payment of any obligation, secured or

unsecured, payable to me for any period or periods of time and upon any terms and conditions, and (iii) to foreclose as an incident to the collection of any obligation, any deed of trust or other lien securing such obligation, to bid on the property at such foreclosure sale or otherwise acquire the property without foreclosure and to retain the property so obtained;

H. Holding Property in Nominee Form. The power to register and hold any securities or other property in the name of a nominee or in any other form without disclosure of the agency relationship, or to hold the same in such form that they will pass by delivery;

I. Exercise of Security Rights. With regard to securities of mine, including stocks, bonds and any evidence of indebtedness, the power (i) to vote any such securities in person or by special, limited or general proxy at any shareholders' meeting, (ii) to consent to or participate in any contract, lease, mortgage, foreclosure, voting trust, purchase, sale or other action by any corporation, company or association, (iii) to consent to or participate in, facilitate and implement any plan of incorporation, reincorporation, reorganization, consolidation, merger, liquidation, readjustment or other similar plan with respect to any such corporation, company or association, and (iv) to exercise all options, rights and privileges, including the exercise or sale of conversion, subscription or other rights of whatever nature pertaining to any such securities and to subscribe for additional securities or other property;

J. Dealings with Revocable Trust. The power to exercise my powers as settlor of a revocable trust with respect to (i) the revocation and amendment of the revocable trust, (ii) the addition to or withdrawal from the revocable trust of all or any part of my real or personal property or my interest in such property, and (iii) the distribution of the property of the revocable trust, and the power to create a revocable trust with me as settlor, except that the exercise of the powers granted in this Paragraph J may not alter the designation of beneficiaries to receive property on my death under my existing estate plan;

K. Gifts. If, in the opinion of my Agent, my remaining property is more than sufficient to provide for the continued support and medical care of my spouse, my dependents and me in accordance with our customary standard of living, the power to make periodic gifts of my real and personal property or my interest in such property to or for the benefit of any one or more of my issue and the spouses of my issue (including my Agent). Such gifts may be made in any manner, including, but not limited to, outright gifts, gifts in trust, gifts to a custodian under a uniform gifts or transfers to minors act, and gifts to qualified state tuition plans as described in section 529 of the Internal Revenue Code;

L. Renunciations. The power to renounce or disclaim in whole or in part the right of succession to any real or personal property or interest in such property passing to me as an heir or beneficiary under a will or otherwise when in the opinion of my Agent a renunciation or disclaimer is advisable for tax purposes;

M. Insurance. The power to exercise any right with regard to any life, disability or other insurance contract or annuity contract owned by me or acquired by my Agent on my behalf, including, but not limited to, the right (i) to change coverages of any such contract, (ii) to borrow upon any such contract, and (iii) to select options with respect to any such contract;

N. Retirement Plans. The power with regard to any retirement plan in which I am a participant or of which I am a beneficiary (whether established by my Agent or otherwise) (i) to make contributions (including "rollover" contributions) or cause contributions to be made to the retirement plan with my funds or otherwise on my behalf, (ii) to receive and endorse checks or other distributions to me from the retirement plan or to arrange for the direct deposit of the same in any account in my name, (iii) to elect a form of payment of benefits from the retirement plan, to withdraw benefits from the retirement plan, and to make, exercise, waive, or consent to any and all elections and options that I may have regarding the contributions to, investments or administration of, or distribution or form of benefits under, such retirement plan, and (iv) to borrow money from the retirement plan if I would be permitted under applicable law to do so. For purposes of this Paragraph N, the reference to "retirement plan" means a plan (of whatever type) qualified under section 401 of the Internal Revenue Code or an individual retirement arrangement under sections 408 and 408A of the Internal Revenue Code or a tax-sheltered annuity under section 403 of the Internal Revenue Code or any other benefit subject to the distribution rules of section 401(a)(9) of the Internal Revenue Code or the corresponding provisions of any subsequent federal tax law;

O. Custodial Trusts. The power to direct the administration or distribution of or to terminate any custodial trust established for my benefit under a uniform custodial trust act, and the power to determine whether I am incapacitated or whether my incapacity has ceased for the purposes of any such custodial trust; and

P. Possession, Control and Disposition of Digital Assets. The power (i) to access, obtain, possess, use, and take control of the contents of any of my electronic communications, any catalogue of electronic communications sent or received by me and any other digital asset of mine and (ii) to request and authorize disclosure of the contents of any of my electronic communications, any catalogue of electronic communication sent or received by me and any other digital asset of mine. For purpose of this provision, the reference to "digital asset" means an electronic record in which I have a right or interest.

ARTICLE V SPECIFIC POWERS RELATING TO PERSONAL AFFAIRS

My Agent may exercise the following powers relating to personal affairs:

A. Support. The power to do any acts, including disbursing of any monies belonging to me, which, in the opinion of my Agent, may be necessary or proper for any purpose in connection with the support and maintenance of my dependents and me in accordance with our customary standard of living, including, but not limited to, provisions for housing, clothing, food, transportation, recreation, education and the employing of any person whose services may be needed for such purposes;

B. Health Care. The power to disburse any monies belonging to me, which, in the opinion of my Agent, may be necessary or proper for any purpose in connection with my health care and the health care of my dependents, that is, any care, treatment, service or procedure to maintain, diagnose, treat or provide for my physical or mental health or personal care and

comfort and that of my dependents, including, but not limited to, the power to pay for the charges of health care providers, such as any physician, dentist or podiatrist and any hospital, nursing or convalescent home, or other institution;

C. Other Personal Affairs. The power to do any acts, including the disbursing of any monies belonging to me, which, in the opinion of my Agent, may be necessary or proper in connection with the conduct of my other personal affairs, including, but not limited to, (i) continuation, use or termination of any charge or credit accounts, (ii) payments or contributions to any charitable, religious or educational organizations, (iii) dealing with my mail and representing me in any matter concerning the U.S. Postal Service, (iv) continuation or discontinuation of my membership in any club or other organization, and (v) acceptance or resignation, on my behalf, from any offices or positions which I may hold, including any fiduciary positions and appointment of, on my behalf, any fiduciaries which I may have the right to appoint.

ARTICLE VI MISCELLANEOUS SPECIFIC POWERS

My Agent may exercise the following miscellaneous powers:

A. Tax Matters. The power to perform any and all acts that I might perform with respect to any and all federal, state, local and foreign taxes, for prior tax years as well as for tax years ending subsequent to the date of this General Power of Attorney, including, but not limited to, the power (i) to make, execute and file returns, amended returns, powers of attorney and declarations of estimated tax, joint or otherwise, (ii) to represent me before any office of the Internal Revenue Service or other taxing authority with respect to any audit or other tax matter involving any tax year or period, (iii) to receive confidential information, (iv) to receive, endorse and collect checks refunding taxes, penalties or interest, (v) to execute waivers of restrictions on assessment or collection of deficiencies in tax, (vi) to execute consents extending the statutory period for assessment or collection of taxes, (vii) to execute and prosecute protests or claims for refund or applications for correction of assessed value, (viii) to execute closing agreements, (ix) to prosecute, defend, compromise or settle any tax matter, and (x) to delegate authority to or substitute another Agent or attorney respecting any such taxes or tax matters;

B. Banking Transactions. The power (i) to make deposits in or withdrawals from any account of mine in any banking, trust or investment institution, whether such account is in my name or in the joint names of myself and any other person, (ii) to open any account or interest with any such institution in my name or in the name of my Agent or in our names jointly, (iii) to endorse any checks or negotiable instruments payable to me for collection or deposit to such accounts and to sign, execute and deliver checks or drafts on such accounts, and (iv) to exercise any right, option or privilege pertaining to any account, deposit, certificate of deposit, or other interest with any such institution;

C. Safe Deposits. The power (i) to have access to any safe deposit box held in my name or in the joint names of myself and any other person, (ii) to lease one or more safe deposit

boxes for safekeeping of my assets, and (iii) to deal with the contents of any safe deposit box, including the removal of such contents;

D. Legal and Other Actions. The power to cause to be commenced, prosecuted, defended, appealed, compromised, settled, arbitrated or discontinued in my name as plaintiff or defendant, as the case may be, any legal or equitable proceedings, judicial or administrative;

E. Employment of Advisors. The power to employ or discharge persons, firms and corporations to advise or assist my Agent, including, but not limited to, agents, accountants, auditors, brokers, attorneys-at-law, custodians, investment counsel, rental agents, realtors, appraisers and tax specialists.

ARTICLE VII LIMITATIONS ON EXERCISE OF POWERS BY AGENT

Notwithstanding the grant of powers in this General Power of Attorney, my Agent shall have no power (i) to deal with insurance policies I may own on the life of an Agent, or (ii) except as specifically authorized by this General Power of Attorney, to cause assets to pass to my Agent or in discharge of the legal obligations of my Agent, whether by inter vivos transfer, designation of beneficiary of any contract or in any other manner.

ARTICLE VIII ADMINISTRATIVE AND OTHER MISCELLANEOUS PROVISIONS

A. Conservatorship Provision. If it becomes necessary for a court to appoint a conservator of my estate, I nominate my Agent acting under this document to be the conservator of my estate, to serve without bond or security.

B. Reliance of Third Parties on Agent.

1. Good Faith. No person who relies in good faith upon the authority of or any representations by my Agent shall be liable to me, my estate, my heirs, successors, assigns or personal representatives, for actions or omissions by my Agent.

2. Powers Exercisable by Agent Alone. The powers conferred on my Agent by this document may be exercised by my Agent alone, and my Agent's signature or act under the authority granted in this document may be accepted by persons as fully authorized by me and with the same force and effect as if I were personally present, competent, and acting on my own behalf. All acts performed in good faith by my Agent pursuant to this General Power of Attorney are done with my consent and shall have the same validity and effect as if I were present and exercised the powers myself, and shall inure to the benefit of and bind me, my estate, my heirs, successors, assigns and personal representatives. The authority of my Agent pursuant to this General Power of Attorney shall be superior to and binding upon my family, relatives, friends and others.

C. Legal Documents and Incidental Costs. My Agent shall be entitled to sign, execute, deliver and acknowledge any contract or other document that may be necessary, desirable, convenient or proper in order to exercise and carry out any of the powers described in this document and to incur reasonable costs on my behalf incident to the exercise of these powers.


D. Duty and Limited Liability of Agent. This General Power of Attorney does not impose a duty on my Agent to exercise granted powers, but when a power is exercised, my Agent shall use due care to act in my best interests and in accordance with this document. My Agent and my Agent's estate, heirs, successors and assigns are hereby released and forever discharged by me, my estate, my heirs, successors and assigns and personal representatives from all liability and from all claims or demands of all kinds arising out of the acts or omissions of my Agent pursuant to this document, except for willful misconduct or gross negligence.

E. Accountings. My Agent shall keep full and accurate inventories and accounts of all transactions for me as my Agent. Such inventories and accounts shall be made available for inspection upon request by me or by my conservator or personal representative. My Agent shall not be required to file any inventory or accounts with any court or clerk.

F. Removal and Resignation of Agent. I shall have the right to remove an Agent at any time in a writing signed by me and acknowledged before a notary public and delivered to the Agent in person or to such person's last known address by certified or registered mail, return receipt requested. An Agent shall have the right to resign in a writing signed by the Agent and acknowledged before a notary public and delivered to me and to any other Agent acting under this General Power of Attorney or, if none, to the designated successor Agent, if any, in person or to such person's last known address by certified or registered mail, return receipt requested.

G. Partial Invalidity. If any part of this General Power of Attorney is declared invalid or unenforceable under applicable law, such decision shall not affect the validity of the remaining parts.

I have signed this General Power of Attorney this 17 day of August, 2023.


ELIZABETH VON SUMMER
ELIZABETH VON SUMMER

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.

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

On this 17 day of August, 2023, before me, Mary L. Ortega, Notary Public, personally appeared ELIZABETH VON SUMMER, 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.

Mary L. Ortega (Seal)
Signature

