

STATE OF GEORGIA

FULTON COUNTY

STATUTORY FORM POWER OF ATTORNEY

IT IS THE EXPRESS INTENTION OF THE UNDERSIGNED (PRINCIPAL) THAT THIS INSTRUMENT SHALL CONFORM TO THE STATUTORY REQUIREMENTS OF SECTION 10-6B-20(a) OF THE GEORGIA UNIFORM POWER OF ATTORNEY ACT, ENACTED AS OF JULY 1, 2017, AND THAT ALL PROVISIONS CONTAINED HEREIN SHALL BE CONSTRUED ACCORDINGLY AND IN A MANNER THAT SHALL ENSURE ACCEPTANCE OF THIS POWER OF ATTORNEY TO THE FULLEST EXTENT OF THE LAW.

IMPORTANT INFORMATION

This Power of Attorney authorizes another person (your Agent) to make decisions concerning your property for you (the principal). Your Agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. Chapter 6B of Title 10.

This Power of Attorney does not authorize the Agent to make health care decisions for you.

You should select someone you trust to serve as your Agent. Unless you specify otherwise, generally the Agent's authority will continue until you die or revoke the Power of Attorney or the Agent resigns or is unable to act for you. If you revoke the Power of Attorney, you must communicate your revocation by notice to the Agent in writing by certified mail and file such notice with the clerk of superior court in your county of domicile.

Your Agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your Agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your Power of Attorney.

This form provides for designation of one Agent. If you wish to name more than one Agent, you may name a successor Agent or name a Co-Agent in the Special Instructions. Co-Agents will not be required to act together unless you include that requirement in the Special Instructions.

If your Agent is unable or unwilling to act for you, your Power of Attorney will end unless you have named a successor Agent. You may also name a second successor Agent.

This Power of Attorney shall be durable unless you state otherwise in the Special Instructions.

This Power of Attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the Power of Attorney or the authority you are granting to your Agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, _____, name the following person as my Agent:

Name of Agent: _____

Agent's address: _____

Agent's telephone number: _____

Agent's e-mail address: _____

DESIGNATION OF SUCCESSOR AGENT(S)

If my Agent is unable or unwilling to act for me, I name as my successor Agent:

Name of successor Agent: _____

Successor Agent's address: _____

Successor Agent's telephone number: _____

Successor Agent's e-mail address: _____

GRANT OF GENERAL AUTHORITY

I grant my Agent and any successor Agent general authority to act for me with respect to the following subjects:

(INITIAL each subject you want to include in the Agent's general authority. If you wish to grant general authority over all of the subjects, you may initial "All preceding subjects" instead of initialing each subject.)

Real property

Tangible personal property

Stocks and bonds

Commodities and options

Banks and other financial institutions

Operation of entity or business

Insurance and annuities

Estates, trusts, and other beneficial interests

Claims and litigation

Personal and family maintenance

Benefits from governmental programs or civil or military service

Retirement plans

Taxes

All preceding subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My Agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your Agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your Agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

Create, amend, revoke, or terminate an inter vivos trust

Make a gift, subject to the limitations of O.C.G.A. 10-6B-56 and any Special Instructions in the power of attorney

Create or change rights of survivorship

Create or change a beneficiary designation

Authorize another person to exercise the authority granted under this Power of Attorney

Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

Access the content of electronic communications

Exercise fiduciary powers that the principal has authority to delegate

Disclaim or refuse an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An Agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the Agent or a person to whom the Agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the Power of Attorney):

EFFECTIVE DATE

This Power of Attorney is effective immediately unless I have stated otherwise in the Special Instructions.

NOMINATION OF CONSERVATOR

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

Name of nominee for conservator of my estate:

Nominee's address: _____

Nominee's telephone number: _____

Nominee's e-mail address: _____

RELIANCE ON THIS POWER OF ATTORNEY

ANY PERSON, INCLUDING MY AGENT, MAY RELY UPON THE VALIDITY OF THIS POWER OF ATTORNEY OR A COPY OF IT UNLESS THAT PERSON KNOWS IT HAS TERMINATED OR IS INVALID.

SIGNATURE AND ACKNOWLEDGMENT

Your signature: _____

Your name printed: _____

Date: _____, 2018

Your address: _____

Your telephone number: _____

Your e-mail address: _____

This document was signed in my presence on _____, 2017, by
_____(Principal)

WITNESS:

Signature

Printed name

Address

Phone number

Email

NOTARY:

Signature

My commission expires: _____

IMPORTANT INFORMATION FOR AGENT

Agent's Duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

_____ by _____ as Agent

(Principal's Name)

(Your Signature)

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence, and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;
- (2) The principal's revocation of your authority or the power of attorney so long as the revocation of the power of attorney is communicated to you in writing by certified mail, and provided that such notice is filed with the clerk of superior court in the county of domicile of the principal;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or
- (5) If you are married to the principal, a legal action filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Liability of Agent

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

(Code 1981, 10-6B-71, enacted by Ga. L 2017, p. 435, 2-1/HB 221)