California Limited (Special) Power of Attorney

I, _____, the **Principal**, with the address of _____, in the city of _____, state of _____, hereby appoint _____ (**Agent**), with the address of _____, in the city of _____, state of_____, as my true and lawful agent and attorney-in-fact to act in my name and on my behalf for the following specific acts:

I. _____

_____

II. _____

_____

III. _____

_____

Term (*Initial and Check the Applicable Term*)

a) _____ ☐ This power of attorney is effective as of the date hereof and shall terminate upon revocation or automatically on the ___ day of _____, 20___.

b) _____ ☐ (**Non-Durable Option**) This power of attorney is effective as of the date hereof and shall terminate upon my incapacity, or death, or revocation.

c) _____ ☐ This power of attorney is effective as of the date hereof and shall terminate upon my death or revocation.

If the principal did not mark (b), then this document will be considered a Durable Power of Attorney and the Notice of Persons Executing Durable Power of Attorney will apply.

Notice to Person Executing Durable Power of Attorney

A durable power of attorney is an important legal document. By signing the durable power of attorney, you are authorizing another person to act for you, the principal. Before you sign this durable power of attorney, you should know these important facts:
Your agent (attorney-in-fact) has no duty to act unless you and your agent agree otherwise in writing.

This document gives your agent the powers to manage, dispose of, sell, and convey your real and personal property, and to use your property as security if your agent borrows money on your behalf. This document does not give your agent the power to accept or receive any of your property, in trust or otherwise, as a gift, unless you specifically authorize the agent to accept or receive a gift.
Your agent will have the right to receive reasonable payment for services provided under this durable power of attorney unless you provide otherwise in this power of attorney.
The powers you give your agent will continue to exist for your entire lifetime, unless you state that the durable power of attorney will last for a shorter period of time or unless you otherwise terminate the durable power of attorney. The powers you give your agent in this durable power of attorney will continue to exist even if you can no longer make your own decisions respecting the management of your property.
You can amend or change this durable power of attorney only by executing a new durable power of attorney or by executing an amendment through the same formalities as an original. You have the right to revoke or terminate this durable power of attorney at any time, so long as you are competent.
This durable power of attorney must be dated and must be acknowledged before a notary public or signed by two witnesses. If it is signed by two witnesses, they must witness either (1) the signing of the power of attorney or (2) the principal's signing or acknowledgment of his or her signature. A durable power of attorney that may affect real property should be acknowledged before a notary public so that it may easily be recorded.
You should read this durable power of attorney carefully. When effective, this durable power of attorney will give your agent the right to deal with property that you now have or might acquire in the future. The durable power of attorney is important to you. If you do not understand the durable power of attorney, or any provision of it, then you should obtain the assistance of an attorney or other qualified person.

Notice to Person Accepting the Appointment as Attorney-in-Fact

By acting or agreeing to act as the agent (attorney-in-fact) under this power of attorney you assume the fiduciary and other legal responsibilities of an agent. These responsibilities include:
1. The legal duty to act solely in the interest of the principal and to avoid conflicts of interest.
2. The legal duty to keep the principal's property separate and distinct from any other property owned or controlled by you.
You may not transfer the principal's property to yourself without full and adequate consideration or accept a gift of the principal's property unless this power of attorney specifically authorizes you to transfer property to yourself or accept a gift of the principal's property. If you transfer the principal's property to yourself without specific authorization in the power of attorney, you may be prosecuted for fraud and/or embezzlement. If the principal is 65 years of age or older at the time that the property is transferred to you without authority, you may also be prosecuted for elder abuse under Penal Code Section 368. In addition to criminal prosecution, you may also be sued in civil court.
I have read the foregoing notice and I understand the legal and fiduciary duties that I assume by acting or agreeing to act as the agent (attorney-in-fact) under the terms of this power of attorney.

Signature of Agent _____ Date _____

Printed Name _____

IN WITNESS WHEREOF, this ____ day of _____, 20____.

_____

Principal's Signature

Acknowledgment of Witnesses

We, the witnesses, each do hereby declare in the presence of the principal that the principal signed and executed this instrument in the presence of each of us, that the principal signed it willingly, that each of us hereby signs this Power of Attorney as witness at the request of the principal and in the principal's presence, and that, to the best of our knowledge, the principal is eighteen (18) years of age or over, of sound mind, and under no constraint or undue influence.

_____ _____

Witness #1's Signature **Witness #2's Signature**

_____ _____

Address Address

Acknowledgment of Notary Public

STATE OF CALIFORNIA)

COUNTY OF _____)

I am a Notary Public in and for the State and County named above. The person who signed this instrument is personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual, _____ (**Principal**). The individual personally appeared before me and signed above or acknowledged the signature above as his or her own on the ____ day of _____, 20____. I declare under penalty of perjury that the individual appears to be of sound mind and under no duress, fraud, or undue influence.

_____

Signature of Notary Public

My commission expires _____