

**STATE OF COLORADO  
STATUTORY POWER OF ATTORNEY**

(Colorado Revised Statutes, 15-14-741. Statutory form - power of attorney. A document substantially in the following form may be used to create a statutory form power of attorney that has the meaning and effect prescribed by this part 7.) (Uniform Power of Attorney Act is effective January 1, 2010)

**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 the "**Uniform Power of Attorney Act**", part 7 of article 14 of title 15, Colorado Revised Statutes.

**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.

Your agent is entitled to reasonable compensation unless you state otherwise in the special instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a coagent in the special instructions. Coagents are not 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 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.**

**1. DESIGNATION OF AGENT**

I \_\_\_\_\_ (name of principal) name the following person as my agent:

Name of agent: \_\_\_\_\_

Agent's address: \_\_\_\_\_

Agent's telephone number: \_\_\_\_\_

**2. DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)**

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: \_\_\_\_\_

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

Name of second successor agent: \_\_\_\_\_

Second successor agent's address: \_\_\_\_\_

Second successor agent's telephone number: \_\_\_\_\_

### 3. GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the "Uniform Power of Attorney Act", part 7 of article 14 of title 15, Colorado Revised Statutes:

(**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.)

- \_\_\_\_\_ A. Real property
- \_\_\_\_\_ B. Tangible personal property
- \_\_\_\_\_ C. Stocks and bonds
- \_\_\_\_\_ D. Commodities and options
- \_\_\_\_\_ E. Banks and other financial institutions
- \_\_\_\_\_ F. Operation of entity or business
- \_\_\_\_\_ G. Insurance and annuities
- \_\_\_\_\_ H. Estates, trusts, and other beneficial interests
- \_\_\_\_\_ I. Claims and litigation
- \_\_\_\_\_ J. Personal and family maintenance
- \_\_\_\_\_ K. Benefits from governmental programs or civil or military service
- \_\_\_\_\_ L. Retirement plans
- \_\_\_\_\_ M. Taxes
- \_\_\_\_\_ N. All preceding subjects

### 4. GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent **MAY 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.)

- \_\_\_\_\_ A. Create, amend, revoke, or terminate an inter vivos trust
- \_\_\_\_\_ B. Make a gift, subject to the limitations of the "Uniform Power of Attorney Act" set forth in section 15-14-740, Colorado Revised Statutes, and any special instructions in this power of attorney
- \_\_\_\_\_ C. Create or change rights of survivorship
- \_\_\_\_\_ D. Create or change a beneficiary designation
- \_\_\_\_\_ E. Authorize another person to exercise the authority granted under this power of attorney
- \_\_\_\_\_ F. Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- \_\_\_\_\_ G. Exercise fiduciary powers that the principal has authority to delegate, including powers to participate in the designation or changing of a fiduciary and powers to participate in the direction of a fiduciary in the exercise of the fiduciary's powers
- \_\_\_\_\_ H. Disclaim, refuse, or release an interest in property or a power of appointment
- \_\_\_\_\_ I. Exercise a power of appointment other than: (1) The exercise of a general power of appointment for the benefit of the principal which may, if the subject of estates, trusts, and other beneficial interests is authorized above, be exercised as provided under the subject of estates, trusts, and other beneficial interests; or (2) the exercise of a general power of appointment for the benefit of persons other than the principal which may, if the making of a gift is specifically authorized above, be exercised under the specific authorization to make gifts
- \_\_\_\_\_ J. Exercise powers, rights, or authority as a partner, member, or manager of a partnership, limited liability company, or other entity that the principal may exercise on behalf of the entity and has authority to delegate excluding the exercise of such powers, rights, and authority with respect to an entity owned solely by the principal which may, if operation of entity or business is authorized above, be exercised as provided under the subject of operation of the entity or business

**5. LIMITATION ON AGENT'S AUTHORITY**

An agent that is not my ancestor, spouse, or descendant **MAY 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.

**6. SPECIAL INSTRUCTIONS (OPTIONAL)**

You may give special instructions on the following line: \_\_\_\_\_  
\_\_\_\_\_

**7. EFFECTIVE DATE**

This power of attorney is effective immediately unless I have stated otherwise in the special instructions.

**8. NOMINATION OF CONSERVATOR OR GUARDIAN (OPTIONAL)**

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

Name of nominee for **conservator** of my estate: \_\_\_\_\_

Nominee's address: \_\_\_\_\_

Nominee's telephone number: \_\_\_\_\_

Name of nominee for **guardian** of my person: \_\_\_\_\_

Nominee's address: \_\_\_\_\_

Nominee's telephone number: \_\_\_\_\_

**9. 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.

**10. SIGNATURE AND ACKNOWLEDGMENT**

\_\_\_\_\_  
Your signature Date

\_\_\_\_\_  
Your name printed Your telephone number

\_\_\_\_\_  
Your address \_\_\_\_\_

**WITNESS AFFIDAVIT (OPTIONAL)**

I/we declare that, being first duly sworn, that the principal signed and executed this instrument, knowingly and willingly, as the principal's Power of Attorney, and I/we signed this instrument as witness, in the conscious presence of the principal, and at the time of the execution of this instrument, the principal, according to my/our best knowledge and belief, was aware and of sound mind, and under no constraint or undue influence.

\_\_\_\_\_  
Witness #1 signature Date

\_\_\_\_\_  
Witness #1 name printed Witness #1 telephone number

\_\_\_\_\_  
Witness #2 signature Date

\_\_\_\_\_  
Witness #2 name printed Witness #2 telephone number

=====  
State of Colorado, County of \_\_\_\_\_  
Acknowledged before me by \_\_\_\_\_ (principal), and subscribed and sworn to, or affirmed, before me by \_\_\_\_\_ (witness) and \_\_\_\_\_ (witness) on \_\_\_\_\_ (date).

Signature of notary \_\_\_\_\_ (Seal)

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:  
(Principal's name) by (Your signature) as agent

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 the power of attorney or your authority;
- (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 is 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 the "Uniform Power of Attorney Act", part 7 of article 14 of title 15, Colorado Revised Statutes. If you violate the "Uniform Power of Attorney Act", part 7 of article 14 of title 15, Colorado Revised Statutes, 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, seek legal advice.**

**ABC Legal Docs, LLC**  
Free Consultation, No Legal Advice

**Jerry Lucas, Notary Public, CEO**

Mobile Notary Public, ENotary, Certified Notary Signing Agent  
Wills, trusts, POA, real estate, business, corporations, LLCs  
Financial, insurance, medical, affidavit, court, motor vehicle  
Legal Plans, self-help legal forms, documents, Form I-9  
Colorado Notary Training, State Approved Education Vendor  
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