



Power of Attorney

IN THE KNOW

A Power of Attorney document is created and used when your client wishes to appoint someone else to handle important matters or sign closing documents on their behalf. Here is a list of the most common Power of Attorney forms to help you decide which type is best for your situation. All Power of Attorney documents should be prepared with careful consideration and appropriate legal counsel, since giving one's rights to another is a serious significant step to take.

General and/or Durable Power of Attorney

These are typically more broad-based documents, whereby an individual appoints someone else the power to make an array of decisions and conduct many legal activities on their behalf, involving medical, financial, and contractual matters. A General Power of Attorney may have a specified time frame and/or conditions under which the appointee (called Attorney-in-fact) takes over their duties. A Durable Power of Attorney means the POA document remains in effect after the Grantor's mental capacity is no longer sufficient to be party to an agreement or handle their own decisions. Often people decide to make their POA "Durable", so their legal affairs can be handled by a trusted person once they themselves are incapacitated. Each General or Durable Power of Attorney form is unique and tailored to the person's specific needs, so they vary greatly. The POA must be recorded at or before closing, so let us know if you cannot surrender the original and we'll make arrangements.

Rainier Title must review all Power of Attorney forms as soon as possible to be sure all requirements are met so we can keep your transaction on track.

Special Power of Attorney to Sell

This type of Power of Attorney is used for the sale of a specific piece of property. The property legal description must be included in the document, legal owner's signature must be witnessed & notarized, and must be recorded at closing by Escrow. This POA form typically expires in 6 months (or less) from the date of execution.

Special Power of Attorney Purchase/Encumber

This type of Power of Attorney is used to purchase or, with Lender approval, encumber a specific piece of property. The property legal description must be included in the document, the Grantor's signature must be witnessed & notarized, and must be recorded at closing by Escrow. This POA form also typically expires in 6 months (or less) from execution.

Rainier Title Escrow can prepare both of these standard forms for the Client, in conjunction with the closing of their transaction. Just let us know as soon as the need arises, and we will be happy to help.

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