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How to Complete Your California Limited (Special) Power of Attorney

Limited Power of Attorney for a Specific Purpose (California Probate Code Division 4.5)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR LIMITED POWER OF ATTORNEY.

About this form. A limited (special) power of attorney lets someone (your "agent") handle **one specific matter** for you — such as selling a house, signing closing papers while you are out of town, transferring a vehicle, or handling one bank account. Your agent has **no** authority beyond what you mark in Section 3. For broad, ongoing authority over your finances, use the California General (Financial) Power of Attorney instead.

1. **Name yourself and your agent (Sections 1–2)**
   Enter your full legal name and address, then your agent's. Naming a successor agent is optional but useful if your agent might be unavailable.
2. **Describe exactly what your agent may do (Section 3)**
   Mark only the matters you want to cover and be specific: the property address and parcel number, the vehicle's VIN, or the bank name and the last four digits of the account. Never write a full account number on this form.
3. **Set dates, durability, and pay (Sections 4–7)**
   Choose when it starts and ends, whether it continues if you become incapacitated, and whether your agent is paid. Add any limits in Section 4.
4. **Read the required notices**
   California law (Probate Code Section 4128) requires the notice on Page 1, and your agent must sign the agent notice on the last page.
5. **Sign in front of a notary (Section 9)**
   Do **not** sign or date the form ahead of time. Bring a current government-issued photo ID. Title companies, banks, and county recorders expect a notarized power of attorney.
6. **Real estate? Record it.**
   If your agent will sign a deed, the power of attorney is usually recorded with the County Recorder along with the deed. Fill in the "When Recorded Mail To" box on Page 1, and attach the legal description as Exhibit A if needed.

After It's Notarized

- Give your agent the original and keep a copy. Escrow and title companies usually want to see the original.
- Some agencies require their own forms: the DMV (REG 260), the IRS (Form 2848), and the Franchise Tax Board (FTB 3520).
- To cancel it early, use the California Revocation of Power of Attorney form and notify your agent and anyone relying on it.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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RECORDING REQUESTED BY:

_____

WHEN RECORDED MAIL TO:

Name _____

Address _____

City, State, ZIP _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

LIMITED (SPECIAL) POWER OF ATTORNEY

(California Probate Code Division 4.5)

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.

Principal's initials: _____

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The notice above is required by California Probate Code Section 4128. The powers actually granted by this document are limited to those stated in Section 3 below.

1. PRINCIPAL

I, the undersigned principal, appoint the agent named below as my attorney-in-fact for the limited purposes stated in this document.

_____
(full legal name of principal)

_____ _____ _____ _____
(address) (city) (state) (ZIP Code)

2. AGENT (ATTORNEY-IN-FACT)

_____ _____
(full name of agent) (phone)

_____ _____ _____ _____
(address) (city) (state) (ZIP Code)

OPTIONAL — Successor agent: If my agent dies, resigns, becomes incapacitated, or is otherwise unwilling or unable to act, I appoint the following person as my successor agent, with the same authority:

_____ _____
(full name of successor agent) (phone)

_____ _____ _____ _____
(address) (city) (state) (ZIP Code)

3. SPECIFIC POWERS GRANTED (mark each that applies)

My agent may act for me **only** in the following matters:

☐ **(a) Real property.** To sell, purchase, refinance, encumber, lease, or manage the following real property, including signing deeds, escrow instructions, loan documents, disclosures, and closing statements:

_____ _____
(property address) (Assessor's Parcel Number, if known)

_____ _____
(county where property is located) (legal description, or "see Exhibit A attached")

☐ **(b) Motor vehicle, vessel, or trailer.** To buy, sell, transfer, register, or obtain title to the following vehicle:

_____ _____
(year, make, model) (vehicle identification / hull number)

☐ **(c) Bank or financial account.** To deposit, withdraw, transfer, endorse checks, and otherwise conduct transactions on the following account:

_____ _____
(name of bank or institution) (last four digits of account only)

☐ **(d) Other specific matter.** To act for me in the following matter:

For each matter marked above, my agent may sign, execute, acknowledge, and deliver any document, and take any other action, that is reasonably necessary to accomplish that purpose. My agent has no authority to act for me

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in any matter not marked above.

4. SPECIAL INSTRUCTIONS AND LIMITATIONS (optional)

On the following lines I may limit or further describe the powers granted to my agent:

5. EFFECTIVE DATE AND DURATION

This power of attorney is effective (mark one):

- ☐ Immediately upon my signing it.
- ☐ On the following date:

_____
(start date)

This power of attorney ends (mark one):

- ☐ When the purpose(s) in Section 3 have been completed.
- ☐ On the following date, unless I revoke it sooner:

_____
(end date)

- ☐ Only when I revoke it.

6. DURABILITY (mark one)

- ☐ **Durable.** This power of attorney shall not be affected by subsequent incapacity of the principal.
- ☐ **Not durable.** This power of attorney ends if I become incapacitated.

7. COMPENSATION OF AGENT (mark one)

- ☐ My agent shall serve without compensation, but may be reimbursed for reasonable expenses actually incurred.
- ☐ My agent is entitled to reasonable compensation for services, plus reimbursement of reasonable expenses.

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8. GIFTS, RELIANCE, AND COPIES

This power of attorney does not authorize my agent to make gifts of my property, or to transfer my property to my agent, unless I specifically authorize it in Section 4.

I agree that any third party who receives a copy of this document may act under it. Revocation of this power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. A copy of this power of attorney has the same effect as the original.

9. SIGNATURE OF PRINCIPAL

Signed this _____ day of _____ , 20 ____ , at _____
(city and state)

X _____ _____
(signature of principal) (printed name of principal)

Sign in front of the notary public, who will complete the Certificate of Acknowledgment on the next page.

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CERTIFICATE OF ACKNOWLEDGMENT

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 _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, 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.

(Seal)

Signature _____

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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.

Agent

Date: _____ (Signature of agent) _____

(Print name of agent) _____

Successor agent (sign if a successor agent is named)

Date: _____ (Signature of successor agent) _____

(Print name of successor agent) _____

Required by California Probate Code Section 4128.

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