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How to Complete Your Georgia Real Estate Power of Attorney

Limited Power of Attorney for Real Property • Formatted for recording with the Clerk of Superior Court

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

About this form. This form lets someone (your "agent") sell, buy, refinance or manage **one specific Georgia property** for you, for example when you cannot attend the closing. Closing attorneys and lenders usually require the power of attorney to be **recorded** with the deed, so this form follows Georgia recording format: a 3-inch blank space at the top of the first page and room for the return address.

1. **Recording information (top of first page)**
   Enter who prepared the document and where the Clerk should mail it after recording. Leave the box on the right blank for the Clerk.
2. **Identify the property (Section 4)**
   Copy the street address, tax parcel ID and full legal description exactly from your current deed. Attach it as Exhibit A if it is long.
3. **Grant the powers (Section 5)**
   Initial each power you want to give, or initial "All of the powers listed above." Initials must be handwritten in ink.
4. **Dates and instructions (Sections 6–7)**
   Choose how long it lasts and add any limits, such as a minimum price or the closing attorney's name.
5. **Sign before a witness AND a notary**
   Georgia requires one witness plus a notary for both powers of attorney and recordable real estate documents. Do **not** sign ahead of time and bring a current photo ID. **Need a witness? Our notary can bring one for an additional fee.**

Signing requirements: Signed by the principal in the presence of one unofficial witness and a notary public (O.C.G.A. §§ 10-6B-5, 44-2-15). Neither may be your agent.

After It's Signed

- Give the original to your agent or closing attorney. Ask whether they will record it with the deed.
- To record it yourself, file it with the Clerk of Superior Court in the county where the property is located and pay the recording fee.
- If you revoke it after it was recorded, record the revocation in the same county.

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Have questions about your Real Estate Power of Attorney? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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After recording, return to:

This instrument prepared by:

Space above 3" reserved for Clerk's recording use

REAL ESTATE POWER OF ATTORNEY

Limited Power of Attorney for Real Property • O.C.G.A. Chapter 6B of Title 10

Tax parcel ID number

County where property is located

1. PRINCIPAL (OWNER)

I, the undersigned principal,

Full legal name of principal

Telephone

Principal's address (street, city, state, ZIP)

Email

2. AGENT

appoint the following person as my agent (attorney-in-fact):

Full legal name of agent

Telephone

Agent's address (street, city, state, ZIP)

Email

3. SUCCESSOR AGENT (OPTIONAL)

If my agent is unable or unwilling to act, I appoint as successor agent:

Full legal name of successor agent

Telephone

Successor agent's address (street, city, state, ZIP)

Email

Principal's initials: _____

4. PROPERTY

This power of attorney applies only to the following Georgia real property and its improvements (the "Property"):

Street address of the Property (street, city, ZIP)

Legal description (attach Exhibit A if more space is needed)

5. AUTHORITY GRANTED

I grant my agent authority to do the following with respect to the Property only. **Initial each power you are granting.** Initials must be handwritten in ink.

☐ Sell, convey, transfer or exchange the Property on terms my agent considers reasonable, and sign and deliver any deed, including a warranty or limited warranty deed.

☐ Buy or acquire the Property, and accept a deed on my behalf.

☐ Mortgage, refinance or encumber the Property, and sign any note, deed to secure debt or loan documents.

☐ Lease, rent or manage the Property, collect rents, and pay taxes, insurance, assessments and repairs.

☐ Sign closing statements, settlement statements, affidavits of title, owner's affidavits, the Real Estate Transfer Tax Declaration (PT-61), disclosures and all other documents reasonably required to close a transaction.

☐ Receive, endorse and deposit sale proceeds into an account in my name only, and pay off existing liens.

☐ **All of the powers listed above.**

6. EFFECTIVE DATE, DURATION AND DURABILITY

☐ This power of attorney is effective immediately and continues until revoked.

☐ This power of attorney terminates on _____, or when the transaction closes, whichever is first.

Under Georgia law a power of attorney is durable unless it states otherwise. **Initial below ONLY if you want this power of attorney to END if you become incapacitated:**

☐ This power of attorney terminates upon my incapacity.

7. SPECIAL INSTRUCTIONS (OPTIONAL)

For example: minimum sale price, buyer, closing attorney, or the specific loan being refinanced

8. RELIANCE, RECORDING AND REVOCATION

Any person, including a closing attorney, title insurer or lender, may rely on this power of attorney or a recorded copy unless that person has actual knowledge it has terminated. My agent may record it with the Clerk of Superior Court of the county where the Property is located. I may revoke it by a signed writing delivered to my agent (and recorded, if this was recorded). Georgia law governs this power of attorney.

SIGNATURE OF PRINCIPAL

Do not sign until you are in front of your witness and the notary.

X _____ _____

Signature of principal | Date

Printed name of principal | Telephone

UNOFFICIAL WITNESS

This document was signed in my presence on _____ (date) by the principal named above.

X _____ _____

Signature of witness | Date

Witness's name printed | Witness's telephone number

Witness's address | Witness's email address

The witness must be a competent adult who is not named as an agent in this document and who is not the notary.

NOTARY PUBLIC (OFFICIAL WITNESS)

State of Georgia
County of _____

This document was signed in my presence on _____ (date) by _____ (name of principal).

_____ (Seal)

Signature of notary public

_____

Printed name of notary public

Notary seal

Notary Public, _____ County, Georgia

My commission expires: _____

NOTICE TO AGENT: By accepting or acting under this power of attorney, you assume the duties of an agent under the Georgia Power of Attorney Act (O.C.G.A. Chapter 6B of Title 10). You must act in good faith, only within the authority granted, and in the principal's best interest; keep the principal's property separate from your own; keep records of all transactions; and disclose your identity as an agent by signing in the following manner: (Principal's name) by (Your signature) as Agent. You must stop acting if you learn that this power of attorney has terminated or been revoked.