WEST VIRGINIA CODE: §39B-3-101

§39B-3-101. 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 act.

State of West Virginia

STATUTORY FORM POWER OF ATTORNEY

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, §39B-1-101 et seq. of this code.

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.

DESIGNATION OF AGENT

I	_ name the following person as my agent:
(Name of Principal)	

W	est Virginia Code §39B-3-101
Name of Agent:	
Agent's Address:	
Agent's Telephone Number:	
If my agent is unable or unwilling to act for me, I name as my success	or 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 nagent:	ny second successor
Name of Second Successor Agent:	
Second Successor Agent's Address:	
Second Successor Agent's Telephone Number:	
GRANT OF GENERAL AUTHORITY	
I grant my agent and any successor agent general authority to act for following subjects as defined in the Uniform Power of Attorney Act, §3 this code:	
(INITIAL each subject you want to include in the agent's general authority over all of the subjects you may initial "All Preinstead of initialing each subject.)	5 5
() Real Property	
() Tangible Personal Property	
() Stocks and Bonds	
() Commodities and Options	
() Banks and Other Financial Institutions	
() Operation of Entity or Business	
() Insurance and Annuities	

LIMITATION ON AGENT'S AUTHORITY

() Access the content of electronic communications

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.

SPECIAL INSTRUCTIONS (OPTIONAL) You may give special instructions on the following lines: **EFFECTIVE DATE** This power of attorney is effective immediately unless I have stated otherwise in the special instructions. NOMINATION OF [CONSERVATOR OR GUARDIAN] (OPTIONAL) If it becomes necessary for a court to appoint a [conservator or guardian] of my estate or [guardian] of my person, I nominate the following person(s) for appointment: Name of Nominee for [conservator or guardian] 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: 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. Unless expressly stated otherwise, this power of attorney is durable and shall remain valid if I become incapacitated. SIGNATURE AND ACKNOWLEDGMENT

Your Signature	Date	
Your Name Printed		
Your Address		
Your Telephone Number		
State of		
[County] of		
This document was acknowledged befor	e me on,	
(Date)		
by		
(Name of Principal)		
	(Seal, if any)	
Signature of Notary		
My commission expires:		
[This document prepared by:		

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; act in good faith;
- (2) Do nothing beyond the authority granted in this power of attorney; and
- (3) 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:

hr.
DV
J J

(Principal's Name) (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 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, §39B-1-101 et seq. of this code. If you violate the Uniform Power of Attorney Act, as set forth in §39B-1-101 et seq. of this code, 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, you should seek legal advice.

