

POWER OF ATTORNEY



A power of attorney is necessary when a seller is unable to sign closing documents. Here is a list of the most common powers of attorney available, to help you decide which type is best for your situation:

SPECIAL POWER OF ATTORNEY FOR A SALE:

This type of power of attorney is used for the sale of a specific piece of property. It must include the legal description of that property, have all signatures notarized and be recorded. This type of power of attorney typically has a six-month (or less) expiration date.

SPECIAL POWER OF ATTORNEY FOR A PURCHASE/ENCUMBER:

This is used for the purchase of a specific piece of property. With lender approval, it can also be used to financially encumber the property with a security instrument. It must contain the legal description of the property, have all signatures notarized and be recorded. It is valid only for that the particular designated property and cannot be used to sign a Purchase and Sale Agreement for a different property. This type of power of attorney typically has a six-month (or less) expiration date.

GENERAL DURABLE POWER OF ATTORNEY:

This is typically a more broad-based document created by an individual giving power of attorney to a representative for a broad array of activities (medical, financial, etc.). It needs to specifically include the right to convey (sell) or purchase/encumber property in order to be valid for title insurance purposes. A general durable power of attorney needs to be recorded.

CREATING A POWER OF ATTORNEY:

Documents can be prepared by an attorney or by using approved generic forms. Visit our website www.cwtitle.net and click on “resources” at the bottom of the page, then “property docs,” then “recordable documents” for a link to the Washington State Bar Association website, which contains recordable documents.

Connect with CW Title to get answers to all of your title and escrow questions!
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