

IF ACKNOWLEDGED BEFORE A MILITARY PERSON AUTHORIZED TO ADMINISTER OATHS:

(See AFR 110-6 for statutory provisions authorizing Armed Forces Personnel to perform Notarial Acts and for instructions on completing certificate of acknowledgment)

With the United States Armed Forces

At _____

I, _____, the undersigned officer, do hereby certify that on this _____ day of _____, 19____, before me, personally appeared _____

SSAN _____, whose home address is _____, and who is known to me to be _____, and to be the identical person who is described in, whose name is subscribed to, and who signed and executed the foregoing instrument, and having first made known to him the contents thereof, he personally acknowledged to me that he signed and sealed the same, on the date it bears as his true, free and voluntary act and deed, for the uses, purposes and considerations therein set forth. And I do further certify that I am at the date of this certificate a commissioned officer of the grade, branch of service and organization stated below in the active service of the United States Armed Forces, that by statute no seal is required on this certificate and that same is executed in my capacity as _____

(Signature of Officer)

(SSAN, grade and branch of service)

(Command or organization)

(Permanent home address, include ZIP Code)

GENERAL GUIDANCE

1. Advice of counsel. As a power of attorney represents the designation of another individual to act on behalf of the grantor of the power as his agent or Attorney-in-Fact, one should be executed only after a legal assistance officer or a private attorney has explained to the grantor (and when feasible the grantee) the legal consequences of the execution of such a document. There is no military requirement for anyone to execute a power of attorney. The need for one, if any, is entirely personal. All powers of attorney should be prepared by a legal assistance officer or private attorney and executed under his supervision.

2. Termination. Because powers of attorney of indefinite duration can be difficult to revoke, it is important to express that the power will terminate at a specified time, or upon the happening of a specific event.

3. Witnesses and Acknowledgement. Although it is not always necessary, the better practice is to have the grantor's signature witnessed by three witnesses and acknowledged by an authorized official (See AFR 110-6). Whenever possible, the acknowledgment should be by a notary public when accomplished in the United States and by a U. S. consul when accomplished abroad. In many states a power of attorney to convey lands or any interest therein must be acknowledged and witnessed like a deed.

4. Federal Income Tax Returns. Internal Revenue Form 936 permits a person to designate another to prepare and sign his income tax return or declaration of estimated taxes.

Internal Revenue Form 935 is recommended if husband or wife wishes to authorize the other to file a joint return or declaration of estimated taxes.

5. U. S. Savings Bonds and Notes. Under current U. S. Treasury Department regulations, servicemen, civilian employees of the Federal Government or any agency or instrumentality thereof, or employees of the American Red Cross, when serving outside the continental United States, may authorize another person to redeem their U. S. Savings Bonds or Notes. A power of attorney, general or special, which contains such language as "this power expressly includes the authority to endorse and cash United States Savings Bonds and Notes" is sufficient authorization, as is an air-letter or a letter and the envelope in which it came, clearly indicating the owner's intent that his bonds or notes be so redeemed. If the owner desires to limit the authority to specific bonds or notes, he must give their serial numbers including alphabetical prefix and suffix. Evidence that owner is in fact serving outside the continental United States may be supplied by a letter and the envelope in which it came or by a letter from a superior officer who is in a position to know the owner's present duty assignment. The bonds, or notes, together with the power of attorney, or letter authorizing redemption, and evidence that the grantor is serving outside the continental United States, must be submitted for redemption to a Federal Reserve Bank or Branch, or to the Bureau of the Public Debt, Division of Loans and Currency Branch, 536 South Clark Street, Chicago, Illinois 60605, or to the Office of the Treasurer of the United States, Securities Division, Washington, D. C. 20220.

SUGGESTED CLAUSES

1. Shipment of Household Goods. "Take possession, order the removal, and shipment of any of my household goods from or to any base, warehouse, depot, dock or other place of storage, safekeeping or use, governmental or private, and to execute and deliver any release, voucher, receipt, shipping ticket or other instrument necessary or convenient for such purposes."

2. Sale of Automobile. "Sell, in my name, (for such price as my Attorney-in-Fact deems best) (for a price not less than \$ _____), described as: (here include model year, make, body type, engine number, and state of registration) and to transfer title thereto. I further authorize my Attorney-in-Fact to do and perform any and all acts necessary in connection with renewal or cancellation, in my name, of the registration and/or insurance of said automobile."

3. Registration of Automobile. "Register, in my name, the following described automobile: (here describe automobile), in the state of _____"

4. Shipment of Automobile. "Take possession and order the removal of my automobile described as: (here describe automobile) from _____ to _____ and execute any and all documents necessary to effectuate said shipment."

5. Rental of Suitable Housing. "Procure rental of suitable housing for me and my family (consisting of my wife

and _____ child(ren)) in or near _____ and to use his judgment and discretion as to type of housing and amount of rental, subject to local laws relating to the rental of housing accommodations and applicable regulations of _____, and to obligate me as may be necessary to carry out this power of attorney."

6. Medical and Hospital Care for Child(ren). "Authorize and execute consent for any and all medical and hospital care and treatment, including major surgery, deemed necessary by a duly licensed physician selected by my Attorney-in-Fact for the health and well-being of my following named child(ren): _____"

7. Lease of Real Property. "Enter upon and take possession of the following described property, together with all improvements thereon: (here describe property) to lease the same upon terms acceptable to my Attorney-in-Fact (but in no event shall said rental be less than \$ _____ per month); to collect, receive and deposit to my credit the rents or income therefrom; and to manage and repair the structures and improvements thereon."

8. Sale of Real Property. "Sell and convey in fee the following described property, together with all improvements thereon, for such amounts as he in his judgment deems advisable (for not less than \$ _____): (here describe property, using both street address and legal description)."

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