

# AFFIDAVIT

*Power of Attorney Still in Force  
Code of Virginia, 11-9.2(b)*

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF \_\_\_\_\_

THIS DAY personally appeared \_\_\_\_\_<sup>(2)</sup> "Affiant", who after being duly sworn, stated that:

- 1) Affiant is acting as attorney in fact for \_\_\_\_\_<sup>(1)</sup> pursuant to a power of attorney dated \_\_\_\_\_<sup>(3)</sup> ("the power of attorney").
- 2) On this day, Affiant is acting on behalf of the power of attorney and is signing and delivering one or more documents and/or is taking other action as agent and attorney in fact for \_\_\_\_\_<sup>(1)</sup>.
- 3) As of the date and time of this affidavit:
  - a) Affiant has not received actual knowledge or actual notice of revocation or termination of the power of attorney;
  - b) To the best of Affiant's knowledge and belief, \_\_\_\_\_<sup>(1)</sup> remains alive.
  - c) There are no other circumstances known to Affiant which would impair the authority of Affiant to act on behalf of \_\_\_\_\_<sup>(1)</sup>.

\_\_\_\_\_<sup>(5)</sup>  
(Date & Time)

\_\_\_\_\_<sup>(4)</sup>(SEAL)

The foregoing was subscribed and sworn to before me on \_\_\_\_\_<sup>(6)</sup>  
by \_\_\_\_\_<sup>(2)</sup>

My Commission Expires  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public  
[Notary Seal Required]

***INSTRUCTIONS:***

The following goes in the numbered spaces:

- (1) Name of the person GIVING the power of attorney
- (2) Name of person RECEIVING power of attorney
- (3) Date person Giving Power of attorney signed it.
- (4) Signature of person RECEIVING power of attorney.
- (5) Date person RECEIVING power of attorney USES affidavit.

**NOTES FOR THE AFFIDAVIT**

- ◆ The affidavit is not used or asked for much, however the form is provided in case it is.
- ◆ Complete blank numbers (1) to (3), then make copies of the affidavit and save them for when they are actually needed.
- ◆ **Do not date or sign the affidavit or the copies until one is used and then only when personally before a Notary Public.**
- ◆ The documents being signed may be listed in the space just above the POA's signature, or below the Notary Signature, but it is not generally required.
- ◆ If possible get a photocopy of the completed affidavit for your records.

PLEASE see further information at [www.hhatty.com](http://www.hhatty.com) website.