

CHAPTER 188

PROBATE, TRUSTS, AND FIDUCIARIES

HOUSE BILL 94-1228

BY REPRESENTATIVES Kaufman, Friednash, and George;
also SENATOR Mutzebaugh.**AN ACT****CONCERNING REGULATION OF AGENCY RELATIONSHIPS.***Be it enacted by the General Assembly of the State of Colorado:*

SECTION 1. Article 14 of title 15, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PART to read:

**PART 6
POWER OF ATTORNEY**

15-14-601. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY RECOGNIZES THAT EACH ADULT INDIVIDUAL HAS THE RIGHT AS A PRINCIPAL TO APPOINT AN AGENT TO DEAL WITH PROPERTY OR MAKE PERSONAL DECISIONS FOR THE INDIVIDUAL, BUT THAT THIS RIGHT CANNOT BE FULLY EFFECTIVE UNLESS THE PRINCIPAL MAY EMPOWER THE AGENT TO ACT THROUGHOUT THE PRINCIPAL'S LIFETIME, INCLUDING DURING PERIODS OF DISABILITY, AND BE SURE THAT ANY THIRD PARTY WILL HONOR THE AGENT'S AUTHORITY AT ALL TIMES.

(2) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) IN LIGHT OF MODERN FINANCIAL NEEDS, THE STATUTORY RECOGNITION OF THE RIGHT OF DELEGATION IN COLORADO MUST BE RESTATED, AMONG OTHER THINGS, TO EXPAND ITS APPLICATION AND THE PERMISSIBLE SCOPE OF THE AGENT'S AUTHORITY, TO CLARIFY THE POWER OF THE INDIVIDUAL TO AUTHORIZE AN AGENT TO MAKE FINANCIAL DECISIONS FOR THE INDIVIDUAL, AND TO BETTER PROTECT ANY THIRD PARTY WHO RELIES IN GOOD FAITH ON THE AGENT SO THAT RELIANCE WILL BE ASSURED.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) THE PUBLIC INTEREST REQUIRES A STANDARD FORM AFFIDAVIT OF AGENCY THAT ANY THIRD PARTY MAY USE TO ASSURE THAT AN AGENT'S AUTHORITY UNDER AN AGENCY HAS NOT BEEN ALTERED OR TERMINATED.

(3) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT NOTHING IN THIS PART 6 SHALL BE DEEMED TO AUTHORIZE OR ENCOURAGE ANY COURSE OF ACTION THAT VIOLATES THE CRIMINAL LAWS OF THIS STATE OR THE UNITED STATES. SIMILARLY, NOTHING IN THIS PART 6 SHALL BE DEEMED TO AUTHORIZE OR ENCOURAGE ANY VIOLATION OF ANY CIVIL RIGHT EXPRESSED IN THE CONSTITUTION, STATUTES, CASELAW, OR ADMINISTRATIVE RULINGS OF THIS STATE OR THE UNITED STATES OR ANY COURSE OF ACTION THAT VIOLATES THE PUBLIC POLICY EXPRESSED IN THE CONSTITUTION, STATUTES, CASE LAW, OR ADMINISTRATIVE RULINGS OF THIS STATE OR THE UNITED STATES.

(4) THE GENERAL ASSEMBLY HEREBY RECOGNIZES EACH ADULT'S CONSTITUTIONAL RIGHT TO ACCEPT OR REJECT MEDICAL TREATMENT, ARTIFICIAL NOURISHMENT, AND HYDRATION AND THE RIGHT TO CREATE ADVANCED MEDICAL DIRECTIVES AND TO APPOINT AN AGENT TO MAKE HEALTH CARE DECISIONS UNDER A MEDICAL DURABLE POWER OF ATTORNEY. THE "COLORADO PATIENT AUTONOMY ACT", SECTIONS 15-14-503 TO 15-14-509, IS INTENDED TO ASSIST THE EXERCISE OF SUCH RIGHTS.

(5) IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF THIS PART 6 AND THE "COLORADO PATIENT AUTONOMY ACT" OR BETWEEN THE PROVISIONS OF POWERS OF ATTORNEY PREPARED PURSUANT TO THIS PART 6 AND THE "COLORADO PATIENT AUTONOMY ACT", THE PROVISIONS OF THE "COLORADO PATIENT AUTONOMY ACT" OR PROVISIONS OF POWERS OF ATTORNEY PREPARED PURSUANT TO THE "COLORADO PATIENT AUTONOMY ACT" SHALL PREVAIL.

(6) THIS PART 6 DOES NOT ABRIDGE THE RIGHT OF ANY PERSON TO ENTER INTO A VERBAL PRINCIPAL AND AGENT RELATIONSHIP. A BROKERAGE RELATIONSHIP BETWEEN A REAL ESTATE BROKER AND A SELLER, LANDLORD, BUYER, OR TENANT IN A REAL ESTATE TRANSACTION ESTABLISHED PURSUANT TO PART 8 OF ARTICLE 61 OF TITLE 12, C.R.S., SHALL BE GOVERNED BY THE PROVISIONS OF PART 8 OF ARTICLE 61 OF TITLE 12, C.R.S., AND NOT BY THIS PART 6.

(7) THIS PART 6 DOES NOT CREATE ANY POWER OR RIGHT IN AN AGENT THAT THE AGENT'S PRINCIPAL DOES NOT HOLD OR POSSESS AND DOES NOT ABRIDGE CONTRACTS EXISTING BETWEEN PRINCIPALS AND THIRD PARTIES.

15-14-602. Definitions. AS USED IN THIS PART 6:

(1) "AGENCY" MEANS THE RELATIONSHIP BETWEEN THE PRINCIPAL AND THE PRINCIPAL'S AGENT.

(2) "AGENCY INSTRUMENT" MEANS THE WRITTEN POWER OF ATTORNEY OR OTHER WRITTEN INSTRUMENT OF AGENCY GOVERNING THE RELATIONSHIP BETWEEN THE PRINCIPAL AND AGENT. AN AGENCY IS SUBJECT TO THE PROVISIONS OF THIS PART 6 TO THE EXTENT THE AGENCY RELATIONSHIP IS ESTABLISHED IN WRITING AND MAY BE CONTROLLED BY THE PRINCIPAL, EXCLUDING AGENCIES AND POWERS FOR THE BENEFIT OF THE AGENT. THIS DEFINITION SHALL NOT APPLY TO MEDICAL POWERS OF ATTORNEY DRAFTED PURSUANT TO THE "COLORADO PATIENT AUTONOMY ACT",

SECTIONS 15-14-503 TO 15-14-509.

(3) "AGENT" MEANS THE ATTORNEY-IN-FACT OR OTHER PERSON, INCLUDING SUCCESSORS, WHO IS AUTHORIZED BY THE AGENCY INSTRUMENT TO ACT FOR THE PRINCIPAL.

(4) "PRINCIPAL" MEANS AN INDIVIDUAL, CORPORATION, TRUST, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR OTHER ENTITY, INCLUDING, BUT NOT LIMITED TO, AN INDIVIDUAL ACTING AS TRUSTEE, PERSONAL REPRESENTATIVE, OR OTHER FIDUCIARY, WHO SIGNS A POWER OF ATTORNEY OR OTHER INSTRUMENT OF AGENCY GRANTING POWERS TO AN AGENT.

(5) "THIRD PARTY" MEANS ANY PERSON WHO IS REQUESTED BY AN AGENT UNDER AN AGENCY INSTRUMENT TO RECOGNIZE THE AGENT'S AUTHORITY TO DEAL WITH THE PRINCIPAL'S PROPERTY OR WHO ACTS IN GOOD-FAITH RELIANCE ON A COPY OF THE AGENCY INSTRUMENT. "THIRD PARTY" INCLUDES AN INDIVIDUAL, CORPORATION, TRUST, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR OTHER ENTITY, AS MAY BE APPROPRIATE.

15-14-603. Applicability. (1) (a) THE PRINCIPAL MAY SPECIFY IN THE AGENCY INSTRUMENT:

(I) THE EVENT UPON WHICH OR TIME WHEN THE AGENCY BEGINS AND TERMINATES;

(II) THE MODE OF REVOCATION OR AMENDMENT OF THE AGENCY INSTRUMENT; AND

(III) THE RIGHTS, POWERS, DUTIES, LIMITATIONS, IMMUNITIES, AND OTHER TERMS APPLICABLE TO THE AGENT AND TO ALL THIRD PARTIES DEALING WITH THE AGENT.

(b) THE PROVISIONS OF THE AGENCY INSTRUMENT CONTROL IN THE CASE OF A CONFLICT BETWEEN THE PROVISIONS OF THE AGENCY INSTRUMENT AND THE PROVISIONS OF THIS PART 6. IN THE AGENCY INSTRUMENT, THE PRINCIPAL MAY AUTHORIZE THE AGENT TO APPOINT A SUCCESSOR AGENT.

(2) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS PART 6, ON OR AFTER THE EFFECTIVE DATE OF THIS PART 6:

(I) THE PROVISIONS OF THIS PART 6 GOVERN EVERY AGENCY INSTRUMENT, WHENEVER AND WHEREVER EXECUTED, AND ALL ACTS OF THE AGENT, TO THE EXTENT THE PROVISIONS OF THIS PART 6 ARE NOT INCONSISTENT WITH THE AGENCY INSTRUMENT; AND

(II) THE PROVISIONS OF THIS PART 6 APPLY TO ALL AGENCY INSTRUMENTS EXERCISED IN COLORADO AND TO ALL OTHER AGENCY INSTRUMENTS IF THE PRINCIPAL IS A RESIDENT OF COLORADO AT THE TIME THE AGENCY INSTRUMENT IS SIGNED OR AT THE TIME OF EXERCISE OR IF THE AGENCY INSTRUMENT INDICATES THAT COLORADO LAW IS TO APPLY.

(b) THE STATUTORY POWER OF ATTORNEY FOR PROPERTY FORM SET FORTH IN SECTION 15-1-1302 DOES NOT LIMIT THE APPLICABILITY OF THE PROVISIONS OF THIS PART 6. IT IS THE GENERAL ASSEMBLY'S INTENT THAT EVERY AGENCY INSTRUMENT,

INCLUDING BUT NOT LIMITED TO STATUTORY AGENCY INSTRUMENTS, SHALL HAVE THE BENEFIT OF AND BE GOVERNED BY ALL OF THE GENERAL PROVISIONS OF THIS PART 6, EXCEPT AS OTHERWISE PROVIDED IN THIS PART 6 OR TO THE EXTENT THE TERMS OF THE AGENCY INSTRUMENT ARE INCONSISTENT WITH THE PROVISIONS OF THIS PART 6.

(3) THE AUTHORITY OF AN ATTORNEY-IN-FACT OR AN AGENT TO ACT ON BEHALF OF THE PRINCIPAL MAY INCLUDE, BUT IS NOT LIMITED TO, THE POWERS SPECIFIED IN SECTIONS 15-14-501 TO 15-14-506.

(4) A PRINCIPAL MUST BE AT LEAST EIGHTEEN YEARS OF AGE TO EXECUTE AN AGENCY INSTRUMENT UNDER THE PROVISIONS OF THIS PART 6. A NATURAL PERSON MUST BE AT LEAST TWENTY-ONE YEARS OF AGE TO BE APPOINTED AS AN AGENT UNDER AN AGENCY INSTRUMENT.

15-14-604. Duration of agency - amendment and revocation - effect of disability - resignation of agent. (1) WHERE AN AGENCY INSTRUMENT CONTAINS THE LANGUAGE SPECIFIED IN SECTION 15-14-501 (1) OR OTHERWISE SPECIFIES THAT THE AGENT DESIGNATED THEREIN MAY EXERCISE THE AUTHORITY CONFERRED NOTWITHSTANDING THE PRINCIPAL'S DISABILITY, SUCH AGENT MAY EXERCISE SUCH AUTHORITY NOTWITHSTANDING THE PRINCIPAL'S LATER DISABILITY OR INCAPACITY OR LATER UNCERTAINTY AS TO WHETHER THE PRINCIPAL IS DEAD.

(2) ANY AGENCY CREATED BY AN AGENCY INSTRUMENT CONTINUES UNTIL THE DEATH OF THE PRINCIPAL, REGARDLESS OF THE LENGTH OF TIME THAT ELAPSES, UNLESS THE AGENCY INSTRUMENT STATES AN EARLIER TERMINATION DATE. THE PRINCIPAL MAY AMEND OR REVOKE THE AGENCY INSTRUMENT AT ANY TIME AND IN ANY MANNER THAT IS COMMUNICATED TO THE AGENT OR TO ANY OTHER PERSON WHO IS RELATED TO THE SUBJECT MATTER OF THE AGENCY. ANY AGENT WHO ACTS IN GOOD FAITH ON BEHALF OF THE PRINCIPAL WITHIN THE SCOPE OF AN AGENCY INSTRUMENT IS NOT LIABLE FOR ANY ACTS THAT ARE NO LONGER AUTHORIZED BY REASON OF AN AMENDMENT OR REVOCATION OF THE AGENCY INSTRUMENT UNTIL THE AGENT RECEIVES ACTUAL NOTICE OF THE AMENDMENT OR REVOCATION. AN AGENCY MAY BE TEMPORARILY CONTINUED UNDER THE CONDITIONS SPECIFIED IN SECTION 15-14-607.

(3) ALL ACTS OF THE AGENT THAT ARE WITHIN THE SCOPE OF THE AGENCY AND ARE COMMITTED DURING ANY PERIOD OF DISABILITY, INCAPACITY, OR INCOMPETENCY OF THE PRINCIPAL HAVE THE SAME EFFECT AND INURE TO THE BENEFIT OF AND BIND THE PRINCIPAL AND HIS OR HER SUCCESSORS IN INTEREST AS IF THE PRINCIPAL WERE COMPETENT AND NOT DISABLED.

(4) ANY AGENT ACTING ON BEHALF OF A PRINCIPAL UNDER AN AGENCY INSTRUMENT HAS THE RIGHT TO RESIGN UNDER THE TERMS AND CONDITIONS STATED IN THE AGENCY INSTRUMENT. IF THE AGENCY INSTRUMENT DOES NOT SPECIFY THE TERMS AND CONDITIONS OF RESIGNATION, AN AGENT MAY RESIGN BY NOTIFYING THE PRINCIPAL, OR THE PRINCIPAL'S GUARDIAN OR CONSERVATOR IF ONE HAS BEEN APPOINTED, IN WRITING OF THE AGENT'S RESIGNATION. THE AGENT SHALL ALSO NOTIFY IN WRITING THE SUCCESSOR AGENT, IF ANY, AND ALL REASONABLY ASCERTAINABLE THIRD PARTIES WHO ARE AFFECTED BY THE RESIGNATION. IN ALL CASES, ANY PARTY WHO RECEIVES NOTICE OF THE RESIGNATION OF AN AGENT IS BOUND BY SUCH NOTICE.

15-14-605. Dissolution of marriage. IF AN AGENCY INSTRUMENT APPOINTS THE PRINCIPAL'S SPOUSE AS AGENT AND A COURT ENTERS A DECREE OF DISSOLUTION OF MARRIAGE OR LEGAL SEPARATION BETWEEN THE PRINCIPAL AND SPOUSE AFTER THE AGENCY INSTRUMENT IS SIGNED, THE SPOUSE SHALL BE DEEMED TO HAVE DIED AT THE TIME OF THE DECREE FOR PURPOSES OF THE AGENCY.

15-14-606. Duty - standard of care - record-keeping - exoneration. UNLESS OTHERWISE AGREED BY THE PRINCIPAL AND AGENT IN THE AGENCY INSTRUMENT, AN AGENT IS UNDER NO DUTY TO EXERCISE THE POWERS GRANTED BY THE AGENCY OR TO ASSUME CONTROL OF OR RESPONSIBILITY FOR ANY OF THE PRINCIPAL'S PROPERTY, CARE, OR AFFAIRS, REGARDLESS OF THE PRINCIPAL'S PHYSICAL OR MENTAL CONDITION. WHENEVER THE AGENT EXERCISES THE POWERS GRANTED BY THE AGENCY, THE AGENT SHALL USE DUE CARE TO ACT IN THE BEST INTERESTS OF THE PRINCIPAL IN ACCORDANCE WITH THE TERMS OF THE AGENCY. ANY AGENT WHO ACTS UNDER AN AGENCY INSTRUMENT SHALL BE LIABLE FOR ANY BREACH OF LEGAL DUTY OWED BY THE AGENT TO THE PRINCIPAL UNDER COLORADO LAW. THE AGENT SHALL KEEP A RECORD OF ALL RECEIPTS, DISBURSEMENTS, AND SIGNIFICANT ACTIONS TAKEN UNDER THE AGENCY. THE AGENT SHALL NOT BE LIABLE FOR ANY LOSS DUE TO THE ACT OR DEFAULT OF ANY OTHER PERSON. WHEN EXERCISING ANY POWERS UNDER AN AGENCY DURING ANY PERIOD OF DISABILITY OF THE PRINCIPAL, THE AGENT SHALL BE HELD TO THE STANDARD OF CARE OF A FIDUCIARY AS SPECIFIED IN SECTIONS 15-14-417 AND 15-16-302.

15-14-607. Reliance on an agency instrument. (1) (a) ANY THIRD PARTY WHO ACTS IN GOOD-FAITH RELIANCE ON AN AGENCY INSTRUMENT THAT IS DULY NOTARIZED SHALL BE FULLY PROTECTED AND RELEASED TO THE SAME EXTENT AS IF SUCH THIRD PARTY DEALT DIRECTLY WITH THE PRINCIPAL AS A FULLY COMPETENT PERSON. UPON DEMAND OF ANY THIRD PARTY, THE AGENT SHALL FURNISH AN AFFIDAVIT THAT STATES THAT THE AGENCY INSTRUMENT RELIED UPON IS A TRUE COPY OF THE AGENCY INSTRUMENT AND THAT, TO THE BEST OF THE AGENT'S KNOWLEDGE, THE PRINCIPAL IS ALIVE AND THE RELEVANT POWERS OF THE AGENT HAVE NOT BEEN ALTERED OR TERMINATED; HOWEVER, ANY THIRD PARTY WHO ACTS IN GOOD-FAITH RELIANCE ON AN AGENCY INSTRUMENT SHALL BE PROTECTED REGARDLESS OF WHETHER SUCH THIRD PARTY DEMANDS OR RECEIVES AN AFFIDAVIT.

(b) (I) ANY THIRD PARTY WHO DEALS WITH AN AGENT MAY PRESUME, IN THE ABSENCE OF ACTUAL KNOWLEDGE TO THE CONTRARY, THAT:

(A) THE AGENCY INSTRUMENT NAMING THE AGENT WAS VALIDLY EXECUTED;

(B) THE PRINCIPAL WAS COMPETENT AT THE TIME OF EXECUTION; AND

(C) AT THE TIME OF RELIANCE, THE PRINCIPAL IS ALIVE, THE AGENCY INSTRUMENT AND THE RELEVANT POWERS OF THE AGENT HAVE NOT TERMINATED OR BEEN AMENDED, AND THE ACTS OF THE AGENT CONFORM TO THE STANDARDS OF THIS PART 6.

(II) ANY THIRD PARTY WHO RELIES ON AN AGENCY INSTRUMENT SHALL NOT BE RESPONSIBLE FOR THE PROPER APPLICATION OF ANY PROPERTY DELIVERED TO OR CONTROLLED BY THE AGENT OR FOR QUESTIONING THE AUTHORITY OF THE AGENT.

(2) ANY PERSON TO WHOM THE AGENT, OPERATING UNDER A DULY NOTARIZED AGENCY INSTRUMENT, COMMUNICATES A DIRECTION THAT IS IN ACCORDANCE WITH THE TERMS OF THE AGENCY INSTRUMENT SHALL COMPLY WITH SUCH DIRECTION. ANY PERSON WHO ARBITRARILY OR WITHOUT REASONABLE CAUSE FAILS TO COMPLY WITH SUCH DIRECTION SHALL BE SUBJECT TO THE COSTS, EXPENSES, AND REASONABLE ATTORNEY FEES REQUIRED TO APPOINT A CONSERVATOR FOR THE PRINCIPAL, TO OBTAIN A DECLARATORY JUDGMENT, OR TO OBTAIN AN ORDER PURSUANT TO SECTION 15-14-409.

(3) ANY THIRD PARTY THAT HAS REASONABLE CAUSE TO QUESTION THE AUTHENTICITY, VALIDITY, OR AUTHORITY OF AN AGENCY INSTRUMENT OR AGENCY MAY MAKE PROMPT AND REASONABLE INQUIRY OF THE AGENT, THE PRINCIPAL, OR OTHER PERSONS INVOLVED FOR ADDITIONAL INFORMATION AND MAY SUBMIT AN INTERPLEADER ACTION TO THE DISTRICT COURT OR THE PROBATE COURT OF THE COUNTY IN WHICH THE PRINCIPAL RESIDES BY DEPOSITING ANY FUNDS OR OTHER ASSETS THAT MAY BE AFFECTED BY THE AGENCY INSTRUMENT WITH THE APPROPRIATE COURT. IN SUCH AN INTERPLEADER ACTION, IF THE COURT FINDS THAT THE THIRD PARTY HAD REASONABLE CAUSE TO COMMENCE THE ACTION, THE THIRD PARTY SHALL BE ENTITLED TO ALL REASONABLE EXPENSES AND COSTS INCURRED BY THE THIRD PARTY IN BRINGING THE INTERPLEADER ACTION.

(4) ANY THIRD PARTY MAY REQUIRE AN AGENT TO PRESENT, AS PROOF OF THE AGENCY, EITHER THE ORIGINAL AGENCY INSTRUMENT NAMING SUCH AGENT OR A FACSIMILE THEREOF CERTIFIED BY A NOTARY. THE AGENT HAS DISCRETION TO DETERMINE WHETHER TO PROVIDE THE ORIGINAL AGENCY INSTRUMENT OR A CERTIFIED FACSIMILE.

15-14-608. Preservation of estate plan and trusts. (1) IN EXERCISING ANY POWERS GRANTED UNDER THE AGENCY INSTRUMENT, THE AGENT SHALL TAKE THE PRINCIPAL'S ESTATE PLAN INTO ACCOUNT, INSOFAR AS IT IS KNOWN TO THE AGENT, AND SHALL ATTEMPT TO PRESERVE THE ESTATE PLAN. SPECIFICALLY, THE AGENT SHALL PRESERVE THE ESTATE PLAN IN EXERCISING ANY POWERS OF AMENDMENT OR REVOCATION AND ANY POWERS TO EXPEND OR WITHDRAW PROPERTY PASSING BY TRUST, CONTRACT, OR BENEFICIARY DESIGNATION AT THE PRINCIPAL'S DEATH, INCLUDING, BUT NOT LIMITED TO, SPECIFICALLY BEQUEATHED PROPERTY, JOINT ACCOUNTS, LIFE INSURANCE, TRUSTS, AND RETIREMENT PLANS. THE AGENT SHALL BE LIABLE TO A BENEFICIARY ONLY FOR ACTIONS TAKEN IN BAD FAITH.

(2) AN AGENT MAY NOT REVOKE OR AMEND A TRUST THAT IS REVOCABLE OR AMENDABLE BY THE PRINCIPAL WITHOUT SPECIFIC AUTHORITY AND SPECIFIC REFERENCE TO THE TRUST IN THE AGENCY INSTRUMENT. IN ADDITION, AN AGENT MAY NOT REQUIRE THE TRUSTEE OF ANY TRUST FOR THE BENEFIT OF THE PRINCIPAL TO PAY INCOME OR PRINCIPAL TO THE AGENT WITHOUT SPECIFIC AUTHORITY AND SPECIFIC REFERENCE TO THE TRUST IN THE AGENCY INSTRUMENT. THE AGENT SHALL HAVE ACCESS TO AND THE RIGHT TO COPY, BUT NOT TO HOLD, THE PRINCIPAL'S WILL, TRUSTS, AND OTHER PERSONAL PAPERS AND RECORDS TO THE EXTENT THE AGENT DEEMS NECESSARY FOR PURPOSES OF EXERCISING THE AGENCY POWERS.

15-14-609. Agency - court relationship. (1) UPON PETITION BY ANY INTERESTED PERSON, INCLUDING THE AGENT, AFTER SUCH NOTICE TO INTERESTED PERSONS AS THE COURT DIRECTS AND UPON A FINDING BY THE COURT THAT THE PRINCIPAL LACKS THE

CAPACITY TO CONTROL OR REVOKE THE AGENCY INSTRUMENT:

(a) IF THE COURT FINDS THAT THE AGENT IS NOT ACTING FOR THE BENEFIT OF THE PRINCIPAL IN ACCORDANCE WITH THE TERMS OF THE AGENCY INSTRUMENT OR THAT THE AGENT'S ACTION OR INACTION HAS CAUSED OR THREATENS SUBSTANTIAL HARM TO THE PRINCIPAL'S PERSON OR PROPERTY IN A MANNER NOT AUTHORIZED OR INTENDED BY THE PRINCIPAL, THE COURT MAY ORDER A GUARDIAN OF THE PRINCIPAL'S PERSON OR A CONSERVATOR OF THE PRINCIPAL'S ESTATE, OR BOTH, TO EXERCISE ANY POWERS OF THE PRINCIPAL UNDER THE AGENCY INSTRUMENT, INCLUDING THE POWER TO REVOKE THE AGENCY, OR MAY ENTER SUCH OTHER ORDERS WITHOUT APPOINTMENT OF A GUARDIAN OR CONSERVATOR AS THE COURT DEEMS NECESSARY TO PROVIDE FOR THE BEST INTERESTS OF THE PRINCIPAL; OR

(b) IF THE COURT FINDS THAT THE AGENCY INSTRUMENT REQUIRES INTERPRETATION, THE COURT MAY CONSTRUE THE AGENCY INSTRUMENT AND INSTRUCT THE AGENT TO ACT IN ACCORDANCE WITH ITS CONSTRUCTION; EXCEPT THAT THE COURT MAY NOT AMEND THE AGENCY INSTRUMENT. A COURT MAY ORDER A GUARDIAN OR CONSERVATOR, OR BOTH, TO EXERCISE POWERS OF THE PRINCIPAL UNDER THE AGENCY INSTRUMENT.

(2) PROCEEDINGS UNDER THIS SECTION SHALL BE COMMENCED IN THE COURT WHERE THE GUARDIAN OR CONSERVATOR WAS APPOINTED. IF NO COLORADO GUARDIAN OR CONSERVATOR HAS BEEN APPOINTED, PROCEEDINGS SHALL BE COMMENCED IN THE COUNTY WHERE THE PRINCIPAL RESIDES. IF THE PRINCIPAL DOES NOT RESIDE IN COLORADO, PROCEEDINGS MAY BE COMMENCED IN ANY COUNTY IN THE STATE.

(3) (a) IF A GUARDIAN OR CONSERVATOR IS APPOINTED FOR THE PRINCIPAL, THE AGENT SHALL CONSULT WITH THE GUARDIAN OR CONSERVATOR DURING THE CONTINUANCE OF THE APPOINTMENT ON MATTERS CONCERNING THE PRINCIPAL'S FINANCIAL AFFAIRS.

(b) A CONSERVATOR HAS THE SAME POWER TO REVOKE, SUSPEND, OR TERMINATE ALL OR ANY PART OF THE POWER OF ATTORNEY OR AGENCY INSTRUMENT AS IT RELATES TO FINANCIAL MATTERS AS THE PRINCIPAL WOULD HAVE HAD IF THE PRINCIPAL WERE NOT DISABLED OR INCOMPETENT.

(c) SUBJECT TO ANY LIMITATION OR RESTRICTION INCLUDED IN THE LETTERS OF GUARDIANSHIP, A GUARDIAN HAS THE SAME POWER TO REVOKE, SUSPEND, OR TERMINATE ALL OR ANY PART OF THE POWER OF ATTORNEY OR AGENCY INSTRUMENT AS IT RELATES TO MATTERS CONCERNING THE PRINCIPAL'S PERSONAL CARE THAT THE PRINCIPAL WOULD HAVE HAD IF THE PRINCIPAL WERE NOT DISABLED OR INCOMPETENT, EXCEPT WITH RESPECT TO MEDICAL TREATMENT DECISIONS MADE BY AN AGENT PURSUANT TO SECTIONS 15-14-506 TO 15-14-509. THE EXCEPTION INCLUDED IN THIS PARAGRAPH (c) SHALL NOT PRECLUDE A COURT FROM REMOVING AN AGENT IN THE EVENT THE AGENT BECOMES INCAPACITATED OR IS UNWILLING OR UNABLE TO SERVE AS AN AGENT.

15-14-610. Statutory form agent's affidavit regarding power of attorney.

(1) THE FORM SPECIFIED IN SUBSECTION (2) OF THIS SECTION SHALL BE KNOWN AS THE "STATUTORY AGENT'S AFFIDAVIT REGARDING POWER OF ATTORNEY" AND MAY BE

USED TO ASSURE THAT AN AGENT'S AUTHORITY UNDER AN AGENCY INSTRUMENT HAS NOT BEEN ALTERED OR TERMINATED. AN AGENT'S AFFIDAVIT IN SUBSTANTIALLY THE FOLLOWING FORM SHALL HAVE THE MEANING AND EFFECT PRESCRIBED IN THIS PART 6. NOTHING IN THIS PART 6 SHALL INVALIDATE OR BAR THE USE OF ANY OTHER OR DIFFERENT FORM OF AGENT AFFIDAVIT.

(2) THE STATUTORY AGENT'S AFFIDAVIT REGARDING POWER OF ATTORNEY SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

COLORADO AGENT'S AFFIDAVIT REGARDING POWER OF ATTORNEY

STATE OF COLORADO)
)
COUNTY OF _____) ss.

I, _____, WHOSE ADDRESS IS _____, OF LAWFUL AGE, PURSUANT TO SECTIONS 15-1-1302, 15-14-501, AND 15-14-502, COLORADO REVISED STATUTES, STATE UPON MY OATH THAT I AM THE ATTORNEY-IN-FACT AND AGENT FOR _____, PRINCIPAL, UNDER THE POWER OF ATTORNEY DATED _____, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE, THAT AS OF THIS DATE I HAVE NO ACTUAL KNOWLEDGE OF THE [REVOCAION OR*] TERMINATION OF THE POWER OF ATTORNEY BY ANY ACT OF THE PRINCIPAL, OR BY THE DEATH, [DISABILITY, OR INCOMPETENCE*] OF THE PRINCIPAL, THAT MY AUTHORITY HAS NOT BEEN TERMINATED BY A DECREE OF DISSOLUTION OF MARRIAGE OR LEGAL SEPARATION, AND THAT TO THE BEST OF MY KNOWLEDGE THE POWER OF ATTORNEY HAS NOT BEEN SO TERMINATED AND REMAINS VALID, IN FULL FORCE AND EFFECT.

DATED: _____ ATTORNEY-IN-FACT

THE FOREGOING AFFIDAVIT WAS SUBSCRIBED AND SWORN TO BEFORE ME ON _____, 19____, BY _____, AGENT. WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES:

_____ [SEAL] NOTARY PUBLIC

*STRIKE "REVOCAION OR" AND "DISABILITY OR INCOMPETENCE" IF THE POWER OF ATTORNEY IS DURABLE AND THE PRINCIPAL IS DISABLED OR INCOMPETENT.

15-14-611. Applicability of part. THIS PART 6 DOES NOT IN ANY WAY INVALIDATE ANY AGENCY OR POWER OF ATTORNEY EXECUTED OR ANY ACT OF ANY AGENT, GUARDIAN, OR CONSERVATOR DONE OR AFFECT ANY CLAIM, RIGHT, OR REMEDY THAT ACCRUED PRIOR TO THE EFFECTIVE DATE OF THIS PART 6.

SECTION 2. 15-1-1301, Colorado Revised Statutes, 1987 Repl. Vol., as

amended, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

15-1-1301. Legislative declaration - purpose - short title. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE PUBLIC INTEREST REQUIRES A STANDARD FORM OF POWER OF ATTORNEY THAT AN INDIVIDUAL MAY USE TO AUTHORIZE AN AGENT TO ACT FOR THE INDIVIDUAL IN DEALING WITH THE INDIVIDUAL'S PROPERTY AND FINANCIAL AND OTHER AFFAIRS;

(b) A STATUTORY FORM OFFERING A SET OF OPTIONAL POWERS IS NECESSARY TO ENABLE THE INDIVIDUAL TO DESIGN THE POWER OF ATTORNEY BEST SUITED TO THE INDIVIDUAL'S NEEDS IN A SIMPLE FASHION AND BE ASSURED THAT THE AGENT'S AUTHORITY WILL BE HONORED BY ANY THIRD PARTY WITH WHOM THE AGENT DEALS, REGARDLESS OF THE PHYSICAL OR MENTAL CONDITION OF THE PRINCIPAL AT THE TIME THE POWER IS EXERCISED;

(c) WHEN ANY PERSON CREATES A POWER OF ATTORNEY USING SUBSTANTIALLY THE FORM SET FORTH IN SECTION 15-1-1302, ANY THIRD PARTY MAY RELY IN GOOD FAITH ON THE ACTS OF THE AGENT WITHIN THE SCOPE OF THE POWER OF ATTORNEY WITHOUT FEAR OF LIABILITY TO THE PRINCIPAL. HOWEVER, THE FORM SET FORTH IN SECTION 15-1-1302 IS NOT EXCLUSIVE, AND PERSONS MAY USE OTHER FORMS OF POWER OF ATTORNEY.

(2) THIS PART 13 SHALL BE KNOWN AND MAY BE CITED AS THE "UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT".

SECTION 3. 15-1-1302 (1), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

15-1-1302. Statutory form of power of attorney. (1) **Form.** (a) THE FORM SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (1) MAY BE KNOWN AS THE "STATUTORY POWER OF ATTORNEY FOR PROPERTY" AND MAY BE USED TO GRANT AN AGENT POWERS WITH RESPECT TO PROPERTY AND FINANCIAL AND OTHER MATTERS OF THE PRINCIPAL. WHEN A POWER OF ATTORNEY IN SUBSTANTIALLY THE FORM SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (1) IS USED, INCLUDING THE NOTICE PARAGRAPHS IN CAPITAL LETTERS AT THE BEGINNING OF THE FORM AND THE NOTARIZED FORM OF ACKNOWLEDGMENT AT THE END OF THE FORM, IT SHALL HAVE THE MEANING AND EFFECT PRESCRIBED IN THIS PART 13. THE ISSUE OF WHETHER A POWER OF ATTORNEY MEETS THE REQUIREMENTS OF A STATUTORY POWER OF ATTORNEY FOR PROPERTY SHALL NOT BE AFFECTED IF ONE OR MORE OF THE CATEGORIES OF OPTIONAL POWERS LISTED IN THE FORM ARE WITHHELD OR IF THE FORM INCLUDES SPECIFIC LIMITATIONS ON OR ADDITIONS TO THE AGENT'S POWERS, AS PERMITTED BY THE FORM. NOTHING IN THIS PART 13 SHALL INVALIDATE OR BAR ANY PRINCIPAL'S USE OF ANY OTHER OR DIFFERENT FORM OF POWER OF ATTORNEY FOR PROPERTY. ANY NONSTATUTORY POWER OF ATTORNEY FOR PROPERTY MUST BE EXECUTED BY THE PRINCIPAL AND MUST DESIGNATE THE AGENT AND THE AGENT'S POWERS, BUT NEED NOT BE ACKNOWLEDGED OR CONFORM IN ANY OTHER RESPECT TO THE STATUTORY POWER OF ATTORNEY FOR PROPERTY.

(b) THE FOLLOWING STATUTORY POWER OF ATTORNEY FOR PROPERTY FORM IS LEGALLY SUFFICIENT:

COLORADO STATUTORY POWER OF ATTORNEY FOR PROPERTY

NOTICE: UNLESS YOU LIMIT THE POWER IN THIS DOCUMENT, THIS DOCUMENT GIVES YOUR AGENT THE POWER TO ACT FOR YOU, WITHOUT YOUR CONSENT, IN ANY WAY THAT YOU COULD ACT FOR YOURSELF. THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE "UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT", PART 13 OF ARTICLE 1 OF TITLE 15, COLORADO REVISED STATUTES, AND PART 6 OF ARTICLE 14 OF TITLE 15, COLORADO REVISED STATUTES. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL OR OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY AND AFFAIRS, WHICH MAY INCLUDE POWERS TO PLEDGE, SELL, OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS FORM DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS; BUT WHEN POWERS ARE EXERCISED, YOUR AGENT MUST USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THE PROVISIONS OF THIS FORM AND MUST KEEP A RECORD OF RECEIPTS, DISBURSEMENTS, AND SIGNIFICANT ACTIONS TAKEN AS AGENT. YOU MAY NAME SUCCESSOR AGENTS UNDER THIS FORM BUT NOT CO-AGENTS. UNTIL YOU REVOKE THIS POWER OF ATTORNEY OR A COURT ACTING ON YOUR BEHALF TERMINATES IT, YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU MAY BECOME DISABLED, UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THIS POWER IN THE MANNER PROVIDED BELOW.

YOU MAY HAVE OTHER RIGHTS OR POWERS UNDER COLORADO LAW NOT SPECIFIED IN THIS FORM.

I, _____, (INSERT YOUR FULL NAME AND ADDRESS), APPOINT _____ (INSERT THE FULL NAME AND ADDRESS OF THE PERSON APPOINTED) AS MY AGENT (ATTORNEY-IN-FACT) TO ACT FOR ME IN ANY LAWFUL WAY WITH RESPECT TO THE FOLLOWING INITIALED SUBJECTS:

TO GRANT ONE OR MORE OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING. TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

INITIAL

- _____ (A) REAL PROPERTY TRANSACTIONS (WHEN PROPERLY RECORDED).
- _____ (B) TANGIBLE PERSONAL PROPERTY TRANSACTIONS.

- ____ (C) STOCK AND BOND TRANSACTIONS.
- ____ (D) COMMODITY AND OPTION TRANSACTIONS.
- ____ (E) BANKING AND OTHER FINANCIAL INSTITUTION TRANSACTIONS.
- ____ (F) BUSINESS OPERATING TRANSACTIONS.
- ____ (G) INSURANCE AND ANNUITY TRANSACTIONS.
- ____ (H) ESTATE, TRUST, AND OTHER BENEFICIARY TRANSACTIONS.
- ____ (I) CLAIMS AND LITIGATION.
- ____ (J) PERSONAL AND FAMILY MAINTENANCE.
- ____ (K) BENEFITS FROM SOCIAL SECURITY, MEDICARE, MEDICAID, OR OTHER GOVERNMENTAL PROGRAMS OR MILITARY SERVICE.
- ____ (L) RETIREMENT PLAN TRANSACTIONS.
- ____ (M) TAX MATTERS.

UNLESS YOU DIRECT OTHERWISE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED OR TERMINATED AS SPECIFIED BELOW. STRIKE THROUGH AND WRITE YOUR INITIALS TO THE LEFT OF THE FOLLOWING SENTENCE IF YOU DO NOT WANT THIS POWER OF ATTORNEY TO CONTINUE IF YOU BECOME DISABLED, INCAPACITATED, OR INCOMPETENT.

1. () THIS POWER OF ATTORNEY WILL CONTINUE TO BE EFFECTIVE EVEN THOUGH I BECOME DISABLED, INCAPACITATED, OR INCOMPETENT.

YOU MAY INCLUDE ADDITIONS TO AND LIMITATIONS ON THE AGENT'S POWERS IN THIS POWER OF ATTORNEY IF THEY ARE SPECIFICALLY DESCRIBED BELOW.

2. THE POWERS GRANTED ABOVE SHALL NOT INCLUDE THE FOLLOWING POWERS OR SHALL BE MODIFIED OR LIMITED IN THE FOLLOWING MANNER (HERE YOU MAY INCLUDE ANY SPECIFIC LIMITATIONS YOU DEEM APPROPRIATE, SUCH AS A PROHIBITION OF OR CONDITIONS ON THE SALE OF PARTICULAR STOCK OR REAL ESTATE OR SPECIAL RULES REGARDING BORROWING BY THE AGENT):

3. IN ADDITION TO THE POWERS GRANTED ABOVE, I GRANT MY AGENT THE FOLLOWING POWERS (HERE YOU MAY ADD ANY OTHER DELEGABLE POWERS, SUCH AS THE POWER TO MAKE GIFTS, EXERCISE POWERS OF APPOINTMENT, NAME OR CHANGE BENEFICIARIES OR JOINT TENANTS, OR REVOKE OR AMEND ANY TRUST SPECIFICALLY REFERRED TO BELOW):

4. SPECIAL INSTRUCTIONS. ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS TO YOUR AGENT:

YOUR AGENT WILL BE ENTITLED TO REIMBURSEMENT FOR ALL REASONABLE EXPENSES INCURRED IN ACTING UNDER THIS POWER OF ATTORNEY. STRIKE THROUGH AND INITIAL THE NEXT SENTENCE IF YOU DO NOT WANT YOUR AGENT TO ALSO BE ENTITLED TO REASONABLE COMPENSATION FOR SERVICES AS AGENT.

5. () MY AGENT IS ENTITLED TO REASONABLE COMPENSATION FOR SERVICES RENDERED AS AGENT UNDER THIS POWER OF ATTORNEY.

THIS POWER OF ATTORNEY MAY BE AMENDED IN ANY MANNER OR REVOKED BY YOU AT ANY TIME. ABSENT AMENDMENT OR REVOCATION, THE AUTHORITY GRANTED IN THIS POWER OF ATTORNEY IS EFFECTIVE WHEN THIS POWER OF ATTORNEY IS SIGNED AND CONTINUES IN EFFECT UNTIL YOUR DEATH, UNLESS YOU MAKE A LIMITATION ON DURATION BY COMPLETING THE FOLLOWING:

6. THIS POWER OF ATTORNEY TERMINATES ON _____. (INSERT A FUTURE DATE OR EVENT, SUCH AS COURT DETERMINATION OF YOUR DISABILITY, WHEN YOU WANT THIS POWER TO TERMINATE PRIOR TO YOUR DEATH).

BY RETAINING THE FOLLOWING PARAGRAPH, YOU MAY, BUT ARE NOT REQUIRED TO, NAME YOUR AGENT AS GUARDIAN OF YOUR PERSON OR CONSERVATOR OF YOUR PROPERTY, OR BOTH, IF A COURT PROCEEDING IS BEGUN TO APPOINT A GUARDIAN OR CONSERVATOR, OR BOTH, FOR YOU. THE COURT WILL APPOINT YOUR AGENT AS GUARDIAN OR CONSERVATOR, OR BOTH, IF THE COURT FINDS THAT SUCH APPOINTMENT WILL SERVE YOUR BEST INTERESTS AND WELFARE. STRIKE THROUGH AND INITIAL PARAGRAPH 7 IF YOU DO NOT WANT YOUR AGENT TO ACT AS GUARDIAN OR CONSERVATOR, OR BOTH.

7. () IF A GUARDIAN OF MY PERSON OR A CONSERVATOR FOR MY PROPERTY, OR BOTH, ARE TO BE APPOINTED, I NOMINATE THE AGENT ACTING UNDER THIS POWER OF ATTORNEY AS SUCH GUARDIAN OR CONSERVATOR, OR BOTH, TO SERVE WITHOUT BOND OR SECURITY.

IF YOU WISH TO NAME SUCCESSOR AGENTS, INSERT THE NAME AND ADDRESS OF ANY SUCCESSOR AGENT IN THE FOLLOWING PARAGRAPH:

8. IF ANY AGENT NAMED BY ME SHALL DIE, BECOME INCAPACITATED, RESIGN, OR REFUSE TO ACCEPT THE OFFICE OF AGENT, I NAME THE FOLLOWING EACH TO ACT ALONE AND SUCCESSIVELY, IN THE ORDER NAMED, AS SUCCESSOR TO SUCH AGENT:

FOR PURPOSES OF THIS PARAGRAPH 8, A PERSON IS CONSIDERED TO BE INCAPACITATED

IF AND WHILE THE PERSON IS A MINOR OR A PERSON ADJUDICATED INCAPACITATED OR IF THE PERSON IS UNABLE TO GIVE PROMPT AND INTELLIGENT CONSIDERATION TO BUSINESS MATTERS, AS CERTIFIED BY A LICENSED PHYSICIAN.

I AGREE THAT ANY THIRD PARTY WHO RECEIVES A COPY OF THIS DOCUMENT MAY ACT UNDER IT. REVOCATION OF THE POWER OF ATTORNEY IS NOT EFFECTIVE AS TO A THIRD PARTY UNTIL THE THIRD PARTY LEARNS OF THE REVOCATION. I AGREE TO INDEMNIFY THE THIRD PARTY FOR ANY CLAIMS THAT ARISE AGAINST THE THIRD PARTY BECAUSE OF RELIANCE ON THIS POWER OF ATTORNEY.

SIGNED ON _____, 19____.

IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, IT MAY BE IN YOUR BEST INTEREST TO CONSULT A COLORADO LAWYER RATHER THAN SIGN THIS FORM.

(YOUR SIGNATURE)

(YOUR SOCIAL SECURITY NUMBER)

YOU MAY, BUT ARE NOT REQUIRED TO, REQUEST YOUR AGENT AND SUCCESSOR AGENTS TO PROVIDE SPECIMEN SIGNATURES BELOW. IF YOU INCLUDE SPECIMEN SIGNATURES IN THIS POWER OF ATTORNEY, YOU MUST COMPLETE THE CERTIFICATION OPPOSITE THE SIGNATURES OF THE AGENTS.

NOTICE TO AGENTS: BY EXERCISING POWERS UNDER THIS DOCUMENT, THE AGENT ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT UNDER COLORADO LAW.

SPECIMEN SIGNATURES OF AGENT (AND SUCCESSORS) I CERTIFY THAT THE SIGNATURES OF MY AGENT (AND SUCCESSORS) ARE CORRECT.

_____ AGENT	_____ PRINCIPAL
_____ SUCCESSOR AGENT	_____ PRINCIPAL
_____ SUCCESSOR AGENT	_____ PRINCIPAL

STATE OF COLORADO)
) SS.
COUNTY OF _____)

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ (DATE)
BY _____ (NAME OF PRINCIPAL). (, WHO CERTIFIES

THE CORRECTNESS OF THE SIGNATURE(S) OF THE AGENT(S.) MY COMMISSION
EXPIRES: _____.

[SEAL]

NOTARY PUBLIC

SECTION 4. Effective date. This act shall take effect January 1, 1995.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 4, 1994