

UNIFORM POWER OF ATTORNEY ACT (EXCERPT)
Act 187 of 2023

***** 556.304.new THIS NEW SECTION IS EFFECTIVE JULY 1, 2024 *****

556.304.new Authority of agent; real property.

Sec. 204. A power of attorney that authorizes the agent to convey or otherwise exercise power over real property does not need to contain the real property's legal description. Unless the power of attorney provides otherwise, language in a power granting general authority with respect to real property authorizes the agent to do all of the following:

(a) Demand, buy, lease, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject an interest in real property or a right incident to real property.

(b) Sell; exchange; convey with or without covenants, representations, or warranties; quitclaim; release; surrender; retain title for security; encumber; partition; consent to partitioning; subject to an easement or covenant; subdivide; apply for zoning or other governmental permits; plat or consent to platting; develop; grant an option concerning; lease; sublease; contribute to an entity in exchange for an interest in that entity; or otherwise grant or dispose of an interest in real property or a right incident to real property.

(c) Pledge or mortgage an interest in real property or right incident to real property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal.

(d) Release, assign, satisfy, or enforce by litigation or otherwise a mortgage, deed of trust, conditional sale contract, encumbrance, lien, or other claim to real property that exists or is asserted.

(e) Manage or conserve an interest in real property or a right incident to real property owned or claimed to be owned by the principal, including all of the following:

(i) Insuring against liability or casualty or other loss.

(ii) Obtaining or regaining possession of or protecting the interest or right by litigation or otherwise.

(iii) Paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with them.

(iv) Purchasing supplies, hiring labor, and making repairs or alterations to the real property.

(f) Use, develop, alter, replace, remove, erect, or install structures or other improvements on real property in or incident to which the principal has, or claims to have, an interest or right.

(g) Participate in a reorganization with respect to real property or an entity that owns an interest in or right incident to real property and receive, hold, and act with respect to stocks and bonds or other property received in a plan of reorganization, including all of the following:

(i) Selling or otherwise disposing of them.

(ii) Exercising or selling an option, right of conversion, or similar right with respect to them.

(iii) Exercising any voting rights in person or by proxy.

(h) Change the form of title of an interest in or right incident to real property.

(i) Dedicate to public use, with or without consideration, easements or other real property in which the principal has, or claims to have, an interest.

History: 2023, Act 187, Eff. July 1, 2024.