

Attorney-in-fact Deed

Only need examiner's approval if an individual granted the power of attorney. Approval is not required for corporate attorney-in-fact deeds. [Approval will happen as part of the recording process.](#)

Required documents

- **Deed**—Warranty deed or quit claim deed is generally used. The form of acknowledgment of the deed should be in a representative capacity ("_____ as attorney-in-fact for _____"). Minn Stat § [358.66](#) (a)(2)
- **Power of attorney**—any valid power of attorney form authorizing the attorney-in-fact to convey may be used. In general, use of the Statutory Short Form Power of Attorney is recommended—Minn Stat § [523.23](#); UCB Form [100.1.1](#)
- **Affidavit of attorney-in-fact**— Minn Stat § [523.17](#), subd 1; UCB Form [100.2.1](#)
- **Affidavit of authority of successor attorney-in-fact**—this affidavit must be used, instead of UCB Form 100.2.1, if a successor attorney-in-fact signs the deed—Minn Stat § [523.16](#); UCB Form [100.2.2](#)

Before you submit your documents, check to make sure:

- The affidavit is signed and verified the same day or after the deed is dated and acknowledged, whichever is later. Example: deed is dated January 1; deed is acknowledged January 4; the affidavit must be signed January 4 or later.
- The affidavit has the correct date of the power of attorney and name of principal (and recording information if already recorded).

General tips

- All documents submitted must be originals or certified copies.
- Proof-read all documents and check that the acknowledgement/verification is complete and in the correct form. See Minn Stat § [358.66](#) for acknowledgment form.

Contact

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