ANY ACT DONE BY THE ATTORNEY IN FACT OR AGENT PURSUANT TO THE POWER DURING ANY PERIOD OF DISABILITY OR INCOMPETENCE OR UNCERTAINTY AS TO WHETHER THE PRINCIPAL IS DEAD OR ALIVE HAS THE SAME EFFECT AND INURES TO THE BENEFIT OF AND BINDS THE PRINCIPAL AS IF THE PRINCIPAL WERE ALIVE, COMPETENT, AND NOT DISABLED.

(C)   APPOINTMENT OF GUARDIAN.

IF A GUARDIAN IS APPOINTED FOR THE PRINCIPAL, THE ATTORNEY IN FACT OR AGENT SHALL ACCOUNT TO THE GUARDIAN RATHER THAN THE PRINCIPAL. THE GUARDIAN HAS THE SAME POWER THE PRINCIPAL WOULD HAVE BUT FOR HIS DISABILITY OR INCOMPETENCE TO REVOKE, SUSPEND, OR TERMINATE ALL OR ANY PART OF THE POWER OF ATTORNEY OR AGENCY.

> REVISOR'S NOTE: This section presently appears as Art. 93A, §601. The section is divided into three subsections for organizational purposes. The only other changes are in style and language.

13-602. KNOWLEDGE REQUIRED FOR REVOCATION.

(A)   LACK OF KNOWLEDGE OF DEATH OR DISABILITY.

THE DEATH, DISABILITY, OR INCOMPETENCE OF A PRINCIPAL WHO HAS EXECUTED A POWER OF ATTORNEY IN WRITING DOES NOT REVOKE OR TERMINATE THE AGENCY AS TO THE ATTORNEY IN FACT, AGENT, OR OTHER PERSON WHO, WITHOUT ACTUAL KNOWLEDGE OF THE DEATH, DISABILITY, OR INCOMPETENCE OF THE PRINCIPAL, ACTS IN GOOD FAITH UNDER THE POWER OF ATTORNEY OR AGENCY. UNLESS OTHERWISE INVALID OR UNENFORCEABLE, ANY ACTION TAKEN BINDS THE PRINCIPAL AND HIS HEIRS, LEGATEES, AND PERSONAL REPRESENTATIVES.

(B)   PROOF OF NONREVOCATION.

IN THE ABSENCE OF FRAUD AN AFFIDAVIT, EXECUTED BY THE ATTORNEY IN FACT OR AGENT AND STATING THAT HE DID NOT HAVE, AT THE TIME OF DOING AN ACT PURSUANT TO THE POWER OF ATTORNEY, ACTUAL KNOWLEDGE OF THE REVOCATION OR TERMINATION OF THE POWER OF ATTORNEY BY DEATH, DISABILITY, OR INCOMPETENCE, IS CONCLUSIVE PROOF OF THE NONREVOCATION OR NONTERMINATION OF THE POWER AT THAT TIME. IF THE EXERCISE OF THE POWER REQUIRES EXECUTION AND DELIVERY OF ANY INSTRUMENT WHICH IS RECORDABLE, THE AFFIDAVIT WHEN AUTHENTICATED FOR RECORD IS LIKEWISE RECORDABLE.

(C)   PROVISIONS FOR REVOCATION UNAFFECTED.

THIS SECTION MAY NOT BE CONSTRUED TO ALTER OR AFFECT