

OF THE WILL, IF THE LEGACY IS IMMEDIATE AND NOT SUBJECT TO A LIFE ESTATE. IF THE LEGACY IS SUBJECT TO A LIFE ESTATE A CORPORATION SHALL BE FORMED AT A TIME BETWEEN PROBATE OF THE WILL AND THE END OF 12 MONTHS FOLLOWING THE EXPIRATION OF A LIFE ESTATE OR LIFE ESTATES.

REVISOR'S NOTE: This section presently appears as Art. 93, §4-409. The only changes are in style and language.

#### 4-410. "DIE WITHOUT ISSUE," AND SIMILAR PHRASES.

UNLESS A CONTRARY INTENT IS EXPRESSLY INDICATED IN THE WILL, IN A LEGACY THE WORDS "DIE WITHOUT ISSUE," OR "DIE WITHOUT LEAVING ISSUE," OR OTHER WORDS WHICH MAY IMPLY EITHER A LACK OR A FAILURE OF ISSUE OF A PERSON IN HIS LIFETIME, OR AT THE TIME OF HIS DEATH, OR AN INDEFINITE FAILURE OF HIS ISSUE, MEAN A LACK OR A FAILURE OF ISSUE IN THE LIFETIME, OR AT THE TIME OF THE DEATH OF THE PERSON, AND NOT AN INDEFINITE FAILURE OF HIS ISSUE.

REVISOR'S NOTE: This section presently appears as Art. 93, §4-410. The section is changed in style and structure.

#### 4-411. LEGACY TO INTER VIVOS TRUST.

##### (A) LEGACY TO TRUST.

A LEGACY MAY BE MADE IN FORM OR IN SUBSTANCE TO THE TRUSTEE IN ACCORDANCE WITH THE TERMS OF A WRITTEN INTER VIVOS TRUST, INCLUDING AN UNFUNDED LIFE INSURANCE TRUST ALTHOUGH THE SETTLOR HAS RESERVED ALL RIGHTS OF OWNERSHIP IN THE INSURANCE CONTRACTS, IF THE TRUST INSTRUMENT HAS BEEN EXECUTED AND IS IN EXISTENCE PRIOR TO OR CONTEMPORANEOUSLY WITH THE EXECUTION OF THE WILL AND IS IDENTIFIED IN THE WILL, WITHOUT REGARD TO THE SIZE OR CHARACTER OF THE CORPUS OF THE TRUST OR WHETHER THE SETTLOR IS THE TESTATOR OR A THIRD PERSON.

##### (B) VALIDITY OF LEGACY.

THE LEGACY IS VALID EVEN IF THE TRUST IS SUBJECT TO AMENDMENT OR MODIFICATION OR MAY BE TERMINATED OR REVOKED AFTER THE WILL IS EXECUTED WHETHER BY THE SETTLOR OR ANY OTHER PERSON, OF IF THE TRUST INSTRUMENT OR AN AMENDMENT TO IT WAS NOT EXECUTED IN THE MANNER REQUIRED BY THE ESTATES OF DECEDENTS LAW FOR WILLS.

##### (C) AMENDMENT OF TRUST.

UNLESS THE WILL PROVIDES OTHERWISE:

- (1) THE LEGACY IS VALID EVEN IF THE TRUST WAS