

## POWER OF ATTORNEY—NEW YORK STATUTORY MAJOR GIFTS RIDER

### AUTHORIZATION TO MAKE MAJOR GIFTS OR OTHER TRANSFERS

**CAUTION TO THE PRINCIPAL:** This OPTIONAL rider allows you to authorize your agent to make major gifts or other transfers of your money or other property during your lifetime. Granting any of the following authority to your agent gives your agent the authority to take actions which could significantly reduce your property or change how your property is distributed at your death. “Major gifts or other transfers” are described in section 5-1514 of the General Obligations Law. This Major Gifts Rider does not require

your agent to exercise granted authority, but when he or she exercises this authority, he or she must act according to any instructions you provide, or otherwise in your best interest.

This Major Gifts Rider and the Power of Attorney it supplements must be read together as a single instrument.

Before signing this document authorizing your agent to make major gifts and other transfers, you should seek legal advice to ensure that your intentions are clearly and properly expressed.

#### **(a) GRANT OF LIMITED AUTHORITY TO MAKE GIFTS:**

Granting gifting authority to your agent gives your agent the authority to take actions which could significantly reduce your property.

*If you wish to allow your agent to make gifts to himself or herself, you must separately grant that authority in subdivision (c) below.*

*To grant your agent the gifting authority provided below, initial the bracket to the left of the authority.*

[            ] I grant authority to my agent to make gifts to my spouse, children and more remote descendants, and parents, not to exceed, for each donee, the annual federal gift tax exclusion amount pursuant to the Internal Revenue Code. For gifts to my children and more remote descendants, and parents, the maximum amount of the gift to each donee shall not exceed twice the gift tax exclusion amount, if my spouse agrees to split gift treatment pursuant to the Internal Revenue Code.

This authority must be exercised pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest.

#### **(b) MODIFICATIONS:**

Use this section if you wish to authorize gifts in excess of the above amount, gifts to other beneficiaries or other types of transfers.

Granting such authority to your agent gives your agent the authority to take actions which could significantly reduce your property and/or change how your property is distributed at your death. If you wish to authorize your agent to make gifts or transfers to himself or herself, you must separately grant that authority in subdivision (c) below.

[            ] I grant the following authority to my agent to make gifts or transfers pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest.

**(c) GRANT OF SPECIFIC AUTHORITY FOR AN AGENT TO MAKE MAJOR GIFTS OR OTHER TRANSFERS TO HIMSELF OR HERSELF: (OPTIONAL)**

If you wish to authorize your agent to make gifts or transfers to himself or herself, you must grant that authority in this section, indicating to which agent(s) the authorization is granted, and any limitations and guidelines.

[ ] I grant specific authority for the following agent(s) to make the following major gifts or other transfers to himself or herself:

This authority must be exercised pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest.

**(d) ACCEPTANCE BY THIRD PARTIES:**

I agree to indemnify the third party for any claims that may arise against the third party because of reliance on this Major Gifts Rider.

**(e) SIGNATURE OF PRINCIPAL AND ACKNOWLEDGMENT:**

In Witness Whereof I have hereunto signed my name on 20

*PRINCIPAL signs here:* → \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF NEW YORK COUNTY OF ss.:  
On before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
(signature and office of person taking acknowledgment)

**(f) SIGNATURES OF WITNESSES:**

By signing as a witness, I acknowledge that the principal signed the Major Gifts Rider in my presence and the presence of the other witness, or that the principal acknowledged to me that the principal's signature was affixed by him or her or at his or her direction. I also acknowledge that the principal has stated that this Major Gifts Rider reflects his or her wishes and that he or she has signed it voluntarily. I am not named herein as a permissible recipient of major gifts.

\_\_\_\_\_  
*Signature of witness 1*                      *Date*                      \_\_\_\_\_  
*Signature of witness 2*                      *Date*  
\_\_\_\_\_  
*Print name*  
\_\_\_\_\_  
*Address*  
\_\_\_\_\_  
*City, State,*  
\_\_\_\_\_  
*Zip code*

**(g) This document prepared by:**

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This document prepared by:

NEW YORK  
**Major Gifts Rider**  
POWER OF ATTORNEY

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