

Sample Trust Decanting Provision

(Included in an irrevocable trust for the benefit of descendants of the settlor.)

The Disinterested Trustees may (but shall have no duty to) exercise their power to distribute income and principal to or for the benefit of any person or class of persons from any trust hereunder (the “decanting trust”) by distributing (decanting) any portion or all of such income and/or principal to the trustees of any other trust (the “receiving trust”) for the benefit of one or more of such persons as beneficiaries of the decanting trust (“permissible beneficiaries”). The receiving trust may have such terms and provisions as the Disinterested Trustees deem appropriate, may provide any one or more permissible beneficiaries with a general or limited power of appointment exercisable in favor of any one or more persons or organizations regardless of whether any such person or organization is a beneficiary hereunder, and may provide for such succession of interests among permissible beneficiaries as the Disinterested Trustees deem appropriate[; **provided, however, that the authority provided in this Section shall not be exercised to accelerate (other than by virtue of the fact that some beneficiaries of the decanting trust may not be beneficiaries of the receiving trust) the interest of any beneficiary not then eligible to receive distributions from the decanting trust**]. The receipt by the trustees of the receiving trust shall be a full discharge of the Trustees hereunder for the property so distributed.