

Article - Estates and Trusts

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§11-107.

Whenever a will or other governing instrument:

(1) Specifically authorizes a fiduciary to satisfy a legacy or transfer by selection and distribution of assets in kind; and

(2) Provides that the value of the assets to be distributed shall be determined by reference to their value for purposes of payment of federal estate taxes, the fiduciary shall distribute assets, including cash, having an aggregate fair market value at the date or dates of distribution amounting to no less than the amount of the legacy or transfer as finally determined for federal estate tax purposes unless the will or other governing instrument expressly directs to the contrary.

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