

BENEFICIARY DESIGNATION FOR REVOCABLE TRUST –
DISCLAIMER METHOD –
DOES NOT QUALIFY TRUST BENEFICIARIES FOR LOOK THROUGH RULES

BENEFICIARY DESIGNATION
RE
(IRA) INDIVIDUAL RETIREMENT ACCOUNT (ACCOUNT NUMBER)

1. In accordance with the right granted to me under this IRA to designate and redesignate the beneficiary or beneficiaries to receive all benefits which are payable after my death from this IRA –
 - a. I hereby designate as my beneficiaries the individuals and trusts, as listed in subparagraph d below, in the order of priority indicated, who survive me (or, in the case of any trust, which is then in or, as a result of my death, is coming into existence), as the beneficiary or beneficiaries to whom or to which (or, in the case of a trust, to the assignees of which) all such benefits shall be distributed. However, if an individual beneficiary who becomes entitled to benefit distributions dies without having received (or by notice to this IRA's sponsor, elected to withdraw) all of such distributions, all subsequent benefit distributions shall be made to the beneficiaries named below, determined in the same manner as if I had died immediately following the time of such individual beneficiary's death.
 - b. If, under the circumstances existing at the time of my death (including trustee and beneficiary disclaimers, if any), two or more designated beneficiaries are to share said benefits, such benefits shall be distributed in the "ultimate shares" indicated for each beneficiary (that is, in the percentage portions of my account indicated for each – meaning, in the case of a formula amount, the percentage portion of my account which such formula amount represents as of the date of my death).
 - c. When such ultimate shares are thus identified, the assets of this IRA shall be segregated on the basis of said ultimate share percentages, effective as of my death, into separate subaccounts of this IRA, one for the share representing each beneficiary (or such beneficiary's assignee), so that all postdeath IRA investment net earnings, gains, and losses are determined separately for each such subaccount.
 - d. My beneficiaries are –
 - FIRST – The trustee or trustees of the original *John J. Doe, Jr.* Trust, a revocable and amendable trust UTA dtd *02/12/03* made by me as settlor with me and *Mary A. Doe* as the initial trustees or, if such trust is revoked before my death or to the extent its trustees disclaim such benefits,

[Note that the revocable trust provides that, if settlor's spouse survives, all income in respect of a decedent, is to be transferred, in kind, as though specific bequests under settlor's will, to the marital trust except that such specific transfer shall abate to the extent that such transfer would cause the marital deduction formula amount to be reduced below zero.]

[Note also that under the trust agreement, IRD allocable to the marital trust is held in a separate subaccount which the spouse may disclaim into a disclaimer trust (having no spousal power of appointment and having a 5-5 power) or, if the interest in the disclaimer trust is also disclaimed by the spouse, to the nonmarital trusts.]
 - SECOND – The trustee or trustees of the *John J. Doe, Jr.* Marital Trust (or, if my wife, *Mary A. Doe*, does not survive me, of the *John J. Doe, Jr.* Residuary Trust) under said *02/12/03* TA, or, if such trust for any reason cannot come into existence following my death or to the extent its trustees disclaim such benefits,
 - THIRD – *Mary A. Doe*, my wife, or, if she is not then living or to the extent she disclaims such benefits,
 - FOURTH – Those of my lineal descendants who survive me (other than any who disclaim such benefits), per stirpes or, if there are none,
 - FIFTH – My "heirs" [that is, the person or persons who, under the then applicable laws of descent and distribution, would be entitled to my property (if more than one, sharing in the same proportions as they would under such laws) had I died (i) intestate, (ii) without either creditors or other assets, and (iii) a resident of the state of Michigan].
 - e. If the above Marital Trust is to receive benefits that are payable after my death from this IRA, for each calendar year (or part of such a year) after my death –

- (1) From time to time, my spouse shall have the right to require the trustee or trustees of the Marital Trust to cause this IRA's sponsor to distribute to such Marital Trust trustee(s) (to the extent not otherwise being distributed) an amount (the "income portion") equal to the excess, if any, of:
 - (a) The trust accounting income such account earned for such period over
 - (b) The minimum distribution, if any, required pursuant to IRC section 401(a)(9) for the same period.
 - (2) The Marital Trust trustee(s) shall treat the full amount of each IRA distribution (or, if less, the aforesaid income portion thereof) as income for trust accounting purposes.
 - (3) If any substantial amount of the assets of such account shall be or become unproductive of a reasonable amount of income, the trust accounting income for such period shall be the income such account would have earned had such account's assets been invested in a manner reasonably productive of income [which, for this purpose, shall be deemed to be the amount of income that such account would have produced had all of the assets of such account produced income during such period at a rate of return equal to the percentage dividend yield of the Standard & Poor's 500 Common Stocks for such period based on the average for such period of the account's fair market value (as computed by averaging the beginning and ending fair market values for each whole or partial calendar month within such period)].
- f. Disclaimer may be (i) by any method which is effective under the laws of the state of my domicile at the time of my death and which meets the requirements of IRC section 2518 or (ii) by a written transfer of the right to receive part or all of such benefits, provided that such transfer meets the requirements of IRC section 2518(c)(3) (references to IRC sections are to those sections as from time to time amended). To the extent that any one or more of my designated individual or trust beneficiaries disclaim such benefits, such disclaimant(s) shall be treated for this purpose as not having survived me.
2. I expressly hold this IRA's sponsor harmless from all liability and responsibility in making distributions based on written representations and opinions furnished by the trustees of my revocable trust (or by counsel for such trustees) or by counsel for any above designated beneficiary (such as whether a trust has been revoked or cannot come into existence, whether a disclaimer is effective, the effectiveness of my instructions given herein to the trustees of any trust, and so on). Terms used in this document that are used in my revocable trust shall have the same meaning here that those terms have in the administration of trusts under that trust's governing document.

Accepted and approved:

(IRA Sponsor), Trustee

By _____ (/ /)

Its

_____ (/ /)
John J. Doe, Jr.,
 Grantor/Accountowner
 Social Security No.
 Date of birth
 Spouse's date of birth