

Proposed 2013 Will and Revocable Trust

Paul Weiss draft dated July 19, 2013

Dispositive Provisions Upon Leon's death¹

<u>Will</u>	
<u>Debra Survives</u>	<u>Debra Predeceases</u>
<ul style="list-style-type: none"> ▶ <u>Charitable Pledges Paid.</u> ▶ <u>To Revocable Trust.</u> <ul style="list-style-type: none"> ○ Personal property ○ Residences ○ Art Entities. ○ Collectibles. ○ Balance of estate. 	<ul style="list-style-type: none"> ▶ <u>Charitable Pledges Paid.</u> ▶ <u>To Revocable Trust.</u> <ul style="list-style-type: none"> ○ Personal property ○ Residences. ○ Art Entities. ○ Collectibles. ○ Balance of estate.
<u>Revocable Trust</u>	
<u>Debra Survives</u>	<u>Debra Predeceases</u>
<ul style="list-style-type: none"> ▶ <u>Outright to Debra</u> <ul style="list-style-type: none"> ○ Personal property (excluding Art Entities and Collectibles²). ○ Residences. ▶ <u>Cash Bequests</u> <ul style="list-style-type: none"> ○ \$3 million to Melanie Spinella. ○ Unused estate tax exemption amount to Black Family 1997 Trust. ▶ <u>To Marital Trust</u> <ul style="list-style-type: none"> ○ Art Entities. ○ Collectibles. ○ Balance of Trust Fund (less debts, expenses and taxes owing). <p><u>Marital Trust:</u> All income to Debra during her lifetime. Upon her death, remaining principal (less estate tax owing) is disposed of as follows:</p> 	<ul style="list-style-type: none"> ▶ <u>Outright to Children</u> <ul style="list-style-type: none"> ○ Personal property (excluding Art Entities and Collectibles) in equal shares to surviving children. ▶ <u>Cash Bequests</u> <ul style="list-style-type: none"> ○ \$3 million to Melanie Spinella. ○ 10 million to John Ressler. ○ Trustees to buy an annuity for Judy Black to pay her annual income of \$500,000 for life. ○ Unused GST tax exemption amount to Black Family 1997 GST exempt Trust. ▶ <u>To Heritage Trust</u> <ul style="list-style-type: none"> ○ Proceeds from sale of art held in Art Entities and Collectibles not selected for a Legacy Trust (sale is directed). ○ Proceeds from sale of Manhattan apartments (760 Park Avenue and 750 Park Avenue).

¹ Assumes the Revocable Trust is not funded during Leon's lifetime.

² Collectibles are defined as art valued at \$10,000 or more, the cane collection and first edition books.

Revocable Trust (continued)

<u>Debra Survives</u>	<u>Debra Predeceases</u>
<ul style="list-style-type: none"> ▪ Each child selects items (not exceeding \$300 million in value) from art held in Art Entities and Collectibles for his or her Legacy Trust (see next column). ▪ Balance of Collectibles and art held in Art Entities to be sold. ▪ \$10 million to John Ressler. ▪ Trustees to buy an annuity for Judy Black to pay her annual income of \$500,000 for life. ▪ Debra's GST exemption amount to Black Family 1997 Trust. ▪ Balance of Marital Trust (including proceeds from sale of art and Collectibles) to the Heritage Trust (see next column). 	<ul style="list-style-type: none"> ○ Interests in Art Entities (if any after sale of art). ○ Balance of Trust Fund (less debts, expenses and taxes owing). <p>Heritage Trust: Trustees may pay income and principal to descendants for any purpose and must pay:</p> <ul style="list-style-type: none"> ▪ \$10 million to a child's Legacy Trust when child attains age 30. ▪ \$50 million to a child's Legacy Trust when child attains age 35. ▪ \$100 million to a child's Legacy Trust when child attains age 40. <p>▶ <u>To a Child's Legacy Trust.</u></p> <ul style="list-style-type: none"> ○ Art and Collectibles not exceeding \$300 million in value selected by the child. ○ \$10 million at age 30. ○ \$50 million at age 35. ○ \$100 million at age 40. <p>Legacy Trust: Trustees may pay income and principal to the child for any purpose.</p> <ul style="list-style-type: none"> ▪ Trustee is requested to give the child \$10 million at age 30 to buy a residence. ▪ Legacy Trust terminates upon the child's death and is distributed to Leon's descendants as child appoints or in default to child's descendants <i>per stirpes</i> subject to a Legacy Trust.