

the Settlor's death. (Presently Section 2056 thereof.)

(b) In making the computations necessary to determine the amount of this gift, values as finally determined for Federal estate tax purposes shall control.

(c) The Trustee shall have the power and the sole discretion to set aside this fund wholly or partly in cash or in kind and to select the assets which shall constitute this trust, provided, that (1) there shall not be included in this trust any asset or the proceeds of any asset which will not qualify for said marital deduction, and (2) in distributing cash and property to satisfy this gift the total value of such cash and property at the time of distribution to the trust shall be at least equal to the amount of this gift.

(d) The Settlor intends that the value for Federal estate tax purposes of the property of this separate trust shall be available for the maximum marital deduction allowed by the Federal estate tax law applicable to his estate, and all questions applicable to this trust shall be resolved accordingly. To this end, the powers and discretions of the Trustee with respect to the property in this separate trust shall not be exercised or exercisable, during the period that the Settlor's said wife survives him, except in a manner consistent with the Settlor's intentions as expressed in the preceding sentence, and the Trustee shall not retain any unproductive property in this trust beyond a reasonable time during such period.

(e) In the event that the Settlor and his said wife die under such circumstances that the order of their deaths cannot be established by proof, the Settlor's said wife shall be deemed to have survived him.

2. The separate TRUST B shall be comprised of the balance of the trust property, or all of the trust property if the Settlor's said wife shall not survive him.

SEVENTH: The trust property comprising TRUST A shall be held, administered, and distributed as follows:

0192

4328 RV.2