

Washington Laws, 1985

Sec. 55. Section 11.98.010, chapter 145, Laws of 1965 as amended by section 87, chapter 149, Laws of 1984 and RCW 11.98.130 are each reenacted to read as follows:

If any provision of an instrument creating a trust, including the provisions of any further trust created, or any other disposition of property made pursuant to exercise of a power of appointment granted in or created through authority under such instrument violates the rule against perpetuities, neither such provision nor any other provisions of the trust, or such further trust or other disposition, is thereby rendered invalid during any of the following periods:

- (1) The twenty-one years following the effective date of the instrument;
- (2) The period measured by any life or lives in being or conceived at the effective date of the instrument if by the terms of the instrument the trust is to continue for such life or lives;
- (3) The period measured by any portion of any life or lives in being or conceived at the effective date of the instrument if by the terms of the instrument the trust is to continue for such portion of such life or lives; and
- (4) The twenty-one years following the expiration of the periods specified in (2) and (3) above.

Sec. 56, Section 11.98.020, chapter 145, Laws of 1965 as amended by section 88, chapter 149, Laws of 1984 and RCW 11.98.140 are each reenacted to read as follows:

If, during any period in which an instrument creating a trust, as described in RCW 11.98.130, or any provision thereof, is not to be rendered invalid by the rule against perpetuities, any of the trust assets should by the terms of the instrument or pursuant to any further trust or other disposition resulting from exercise of the power of appointment granted in or created through authority under such instrument, become distributable or any beneficial interest in any of the trust assets should by the terms of the instrument, or such further trust or other disposition become vested, such assets shall be distributed and such beneficial interest shall validly vest in accordance with the instrument, or such further trust or other disposition.

Sec. 57. Section 11.98.030, chapter 145, Laws of 1965 as amended by section 89, chapter 149, Laws of 1984 and RCW 11.98.150 are each reenacted to read as follows:

If, at the expiration of any period in which an instrument creating a trust, as described in RCW 11.98.009, or any provision thereof, is not to be rendered invalid by the rule against perpetuities, any of the trust assets have not by the terms of the trust instrument become distributable or vested, then the assets shall be distributed as the superior court having jurisdiction directs, giving effect to the general intent of the creator of the trust or person exercising a power of appointment in the case of any further trust or other disposition of property made pursuant to the exercise of a power of appointment.