

INSTRUCTIONS FOR USE OF SEPARATE LIST OR MEMORANDUM FOR THE DISPOSITION OF TANGIBLE PERSONAL PROPERTY

The New Jersey Probate law permits the use of a separate writing or memorandum to dispose of your tangible personal property. If you wish to use such a writing or memorandum rather than itemize various items of tangible personal property in your Will, you should know and follow the requirements that are specifically set out in the law.

The law specifically enumerates out the types of tangible personal property which can and cannot be disposed of by a separate writing or memorandum. Tangible personal property not permitted to be disposed of by separate writing or memorandum includes: money, evidences of indebtedness, documents of title, stocks, bonds, securities, property used in a trade or business, and other tangible personal property specifically disposed of by your Will. All other types of tangible personal property, such as jewelry, silverware, antiques, stamp collections, china, glassware, furniture and furnishings are permitted to be disposed of by separate writing or memorandum.

Other requirements in order to use a separate writing or memorandum are:

1. The memorandum or list must be in your handwriting and should be signed and dated by you, or if typed or not in your handwriting, the memorandum or list must be dated and signed by you. Your signature need not be witnessed.
2. The memorandum or list must clearly describe each item so that a particular item will not be confused with any other similar item.
3. Your Will must refer specifically to your separate memorandum or list disposing of tangible personal property.
4. The memorandum or list may be completed prior to the date of signing of your Will or at a date after the signing of your Will.
5. The memorandum or list, to be effective, must be in existence at the date of your death.
6. You should identify clearly the beneficiary who is to receive each item by his or her proper name and relationship to you. If the beneficiary is not in the area, you should list his or her address.
7. Consideration should be given to naming an alternate beneficiary should the first beneficiary not survive to receive the property.
8. From time to time, you may change the beneficiaries or the items listed in the memorandum, and you may also revise or revoke the entire memorandum. However, NEVER make changes by marking or altering a signed memorandum, handwritten or typed. Changes should be made only by a new handwritten or typed memorandum which is signed and dated. After the new memorandum is signed, the old memorandum should be destroyed.

SAMPLE
MEMORANDUM DISPOSITION
OF TANGIBLE PERSONAL PROPERTY
OF MARY DOE

My Will, executed January 15, 2001, gives my personal and household effects in accordance with a list or memorandum, and I hereby make this writing for that purpose and to comply with the provisions of New Jersey law, as amended.

DESCRIPTION OF ITEM OF TANGIBLE PERSONAL PROPERTY	BENEFICIARY
1. My eighteen (18) karat gold wedding band inscribed with my wedding date.	my daughter, SUSAN DOE
2. My eighteen (18) inch strand of 6 millimeter cultured pearls with sterling silver clasp	my daughter, SUSAN DOE
3. My black Steinway concert grand piano	my son, JOHN DOE, JR.
4. My antique Danish Grandfather Clock, Circa 1786	my son, JOHN DOE, JR.
5. My set of four (4) Spode Christmas coffee mugs	my daughter-in-law, ANGELA DOE
6. My eighteen (18) karat gold-plated Heuer scuba diving watch with rotating bezel	my good friend, RICHARD KANE of 7 Anywhere Drive, Anytown, NJ
7. My two (2) mahogany end tables, with white marble tops and gilt edges	my good friend, ANN BORG, of 21 Anywhere Drive, Anytown, NJ

If any named beneficiary of a particular gift does not survive me, such gift shall lapse and pass as otherwise provided in Section 3.1 of my Will.

Dated: January 16, 2001

MARY DOE

**MEMORANDUM DISTRIBUTING TANGIBLE PERSONAL PROPERTY
OF**

My will refers to a written statement or list concerning distribution of items of tangible personal property not otherwise specifically disposed of by my will. This memorandum is for that purpose:

ITEM

BENEFICIARY

_____, 200__

Signature

THIS DOCUMENT MUST BE SIGNED.

(See Notes on Use to Client)