

## Gift Rider to Power of Attorney Signing Instructions

- This document must be signed in front of a notary public and two witnesses
- This document enables the person you appoint as your agent under the Power of Attorney document to make gifts on your behalf to your spouse and/or children
- You do not have to sign this document if you do not want the agent to be able to make gifts
- **If you choose to sign this document, it must be attached to your Power of Attorney**
- Once you are ready to sign the document in front of a notary and two witnesses, **initial all of the boxes highlighted in green**
- **Sign and date on page 3** in front of the notary and two witnesses
- Have the notary notarize your signature on page 3
- Thereafter, the witnesses should read the declaration on page 4 and sign and print their names and addresses on page 4
- Once the document is signed, keep it in a safe, fire-proof, place, but do not put it in a bank safe deposit box
- If possible, give a copy to your agent and let your agent know where the original is kept
- **DO NOT ALTER THE WORDING OF THIS DOCUMENT**

**Power of Attorney  
New York Statutory Gifts Rider  
Authorization for Certain Gift Transactions**

**CAUTION TO THE PRINCIPAL:** THIS OPTIONAL RIDER ALLOWS YOU TO AUTHORIZE YOUR AGENT TO MAKE GIFTS IN EXCESS OF AN ANNUAL TOTAL OF \$500 FOR ALL GIFTS DESCRIBED IN (I) OF THE GRANT OF AUTHORITY SECTION OF THE STATUTORY SHORT FORM POWER OF ATTORNEY (UNDER PERSONAL AND FAMILY MAINTENANCE), OR CERTAIN OTHER GIFT TRANSACTIONS DURING YOUR LIFETIME. YOU DO NOT HAVE TO EXECUTE THIS RIDER IF YOU ONLY WANT YOUR AGENT TO MAKE GIFTS DESCRIBED IN (I) OF THE GRANT OF AUTHORITY SECTION OF THE STATUTORY SHORT FORM POWER OF ATTORNEY AND YOU INITIALED “(I)” ON THAT SECTION OF THAT FORM. GRANTING ANY OF THE FOLLOWING AUTHORITY TO YOUR AGENT GIVES YOUR AGENT THE AUTHORITY TO TAKE ACTIONS WHICH COULD SIGNIFICANTLY REDUCE YOUR PROPERTY OR CHANGE HOW YOUR PROPERTY IS DISTRIBUTED AT YOUR DEATH. “CERTAIN GIFT TRANSACTIONS” ARE DESCRIBED IN SECTION 5-1514 OF THE GENERAL OBLIGATIONS LAW. THIS GIFTS RIDER DOES NOT REQUIRE YOUR AGENT TO EXERCISE GRANTED AUTHORITY, BUT WHEN HE OR SHE EXERCISES THIS AUTHORITY, HE OR SHE MUST ACT ACCORDING TO ANY INSTRUCTIONS YOU PROVIDE, OR OTHERWISE IN YOUR BEST INTEREST.

**THIS GIFTS RIDER AND THE POWER OF ATTORNEY IT SUPPLEMENTS MUST BE READ TOGETHER AS A SINGLE INSTRUMENT.**

**BEFORE SIGNING THIS DOCUMENT AUTHORIZING YOUR AGENT TO MAKE GIFTS, YOU SHOULD SEEK LEGAL ADVICE TO ENSURE THAT YOUR INTENTIONS ARE CLEARLY AND PROPERLY EXPRESSED.**

**(a) GRANT OF LIMITED AUTHORITY TO MAKE GIFTS**

**GRANTING GIFTING AUTHORITY TO YOUR AGENT GIVES YOUR AGENT THE AUTHORITY TO TAKE ACTIONS WHICH COULD SIGNIFICANTLY REDUCE YOUR PROPERTY. IF YOU WISH TO ALLOW YOUR AGENT TO MAKE GIFTS TO HIMSELF OR HERSELF, YOU MUST SEPARATELY GRANT THAT AUTHORITY IN SUBDIVISION (C) BELOW.**

**TO GRANT YOUR AGENT THE GIFTING AUTHORITY PROVIDED BELOW, INITIAL THE BRACKET TO THE LEFT OF THE AUTHORITY.**

I grant authority to my agent to make gifts to my spouse, children and more remote descendants, and parents, not to exceed, for each donee, the annual federal gift tax exclusion amount pursuant to the Internal Revenue Code. For gifts to my children and more remote descendants, and parents, the maximum amount of the gift to each donee shall not exceed twice the gift tax exclusion amount, if my spouse agrees to split gift treatment pursuant to the Internal Revenue Code. This authority must be exercised pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest.

(b) MODIFICATIONS:

USE THIS SECTION IF YOU WISH TO AUTHORIZE GIFTS IN AMOUNTS SMALLER THAN THE GIFT TAX EXCLUSION AMOUNT, IN AMOUNTS IN EXCESS OF THE GIFT TAX EXCLUSION AMOUNT, GIFTS TO OTHER BENEFICIARIES, OR OTHER GIFT TRANSACTIONS. GRANTING SUCH AUTHORITY TO YOUR AGENT GIVES YOUR AGENT THE AUTHORITY TO TAKE ACTIONS WHICH COULD SIGNIFICANTLY REDUCE YOUR PROPERTY AND/OR CHANGE HOW YOUR PROPERTY IS DISTRIBUTED AT YOUR DEATH. IF YOU WISH TO AUTHORIZE YOUR AGENT TO MAKE GIFTS TO HIMSELF OR HERSELF, YOU MUST SEPARATELY GRANT THAT AUTHORITY IN SUBDIVISION (c) BELOW.

I grant the following authority to my agent to make gifts pursuant to my instructions, or otherwise for purposes which the agent reasonably deems to be in my best interest:

- (1) open, modify, or terminate a deposit account in my name and the name of other joint tenants;
- (2) open, modify, or terminate any other joint account in my name and the name of other joint tenants;
- (3) open, modify, or terminate a bank account in trust form as described in section 7-5.1 of the estates, powers and trusts law, and designate or change the beneficiary or beneficiaries of such account;
- (4) open, modify, or terminate a transfer on death account as described in part four of article thirteen of the estates, powers and trusts law, and designate or change the beneficiary or beneficiaries of such account;
- (5) change the beneficiary or beneficiaries of any contract of insurance owned by me and on my life or any annuity contract owned by me and for my benefit;
- (6) procure new, different, or additional contracts of insurance on my life or annuity contracts for my benefit and designate the beneficiary or beneficiaries of any such contract;
- (7) designate or change the beneficiary or beneficiaries of any type of retirement benefit or plan;
- (8) create, amend, revoke, or terminate an inter vivos trust; and
- (9) create, change, or terminate other property interests or rights of survivorship and designate or change the beneficiary or beneficiaries therein.

Notwithstanding the provisions set forth above in subdivision (b), the powers set forth in this subdivision may not be exercised if they result in a gift in excess of the amount permitted by subdivision (a) hereof, and a gift or other transfer to an individual authorized by this subdivision may be made outright, to a trust established or created for such individual, to a Uniform Transfers to Minors Act account for such individual, (regardless of who is the custodian), or to a tuition savings account or prepaid tuition plan as defined under section 529 of the



(f) SIGNATURES OF WITNESSES:

By signing as a witness, I acknowledge that the principal signed the Statutory Gifts Rider in my presence and the presence of the other witness, or that the principal acknowledged to me that the principal's signature was affixed by him or her or at his or her direction. I also acknowledge that the principal has stated that this Statutory Gifts Rider reflects his or her wishes and that he or she has signed it voluntarily. I am not named herein as a permissible recipient of gifts.

\_\_\_\_\_  
Signature of Witness 1

\_\_\_\_\_  
Signature of Witness 2

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

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Address

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Address

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City, State, Zip code

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City, State, Zip code