

**EXERCISE OF POWER TO APPOINT ASSETS  
AND  
NOTICE**

I, [Name of Trustee] give notice as follows:

1. I am the Trustee of [Name of Invaded Trust] (the “Invaded Trust”).
2. I am an Authorized Trustee of the Invaded Trust as defined in Minn. Stat. §502.851, Subd. 1 (c).
3. Article [number] of the Invaded Trust gives the Authorized Trustee  unlimited discretion  limited discretion to invade trust principal as follows:

[INSERT TRUSTEE’S DISCRETIONARY LANGUAGE FROM THE INVADED TRUST INSTRUMENT]

4. I now exercise my power to appoint assets of the Invaded Trust to [Name of Appointed Trust] (the “Appointed Trust”) as follows:  
 All of the assets of the Invaded Trust are appointed to the Appointed Trust.  
Or  
 Only part of the assets of the Invaded Trust, which are approximately \_\_\_\_\_ percent of the total assets of the Invaded Trust, as set forth in Exhibit A to the Instrument Exercising the Power to Appoint Assets.
5. A copy of the Invaded Trust and the Appointed Trust are attached to this instrument.
6. The delivery of this Exercise of Appointment of Assets to the persons having the right, pursuant to the terms of the Invaded Trust to remove or replace the Authorized Trustee exercising the power under subdivision 3 or 4 of Minn. Stat. §502.851 and all persons interested in the Invaded Trust constitutes notice of said exercise of my power to appoint assets of the Invaded Trust.
7. The effective date of this exercise shall be 60 days after the date of delivery of this instrument to all persons set forth in paragraph 6, above.
8. Any objection to the exercise of the power to appoint assets must be given in writing and delivered to the Authorized Trustee prior to the effective date of the exercise of the power to appoint assets.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Trustee

STATE OF MINNESOTA

COUNTY OF HENNEPIN

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ss.

Signed, sworn to (or acknowledged) before me on \_\_\_\_\_, 20\_\_ by [Name of Authorized Trusts], Affiant.

Notary Stamp or Seal (or other Title or Rank)

\_\_\_\_\_  
Signature of Notary Public or Other Official

SAMPLE DOCUMENT

**EXHIBIT A**

**Percent of Invaded Trust's Assets  
Transferred to Appointed Trust**

**SAMPLE  
DOCUMENT**