

EXHIBIT 2-A ESTATE TAX FORMS

| Primary Forms | |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ET-30 | Application for Release(s) of Estate Tax Lien, for estates of individuals whose date of death is on or after February 1, 2000 |
| ET-85 | New York State Estate Tax Certification, for an estate of an individual whose date of death is after May 25, 1990 |
| ET-90 | New York State Estate Tax Return, for estates of decedents whose date of death is after May 25, 1990 and before February 1, 2000 |
| ET-130 | Tentative Payment of Estate Tax |
| ET-133 | Application for Extension of Time to File and/or Pay Estate Tax |
| ET-300 | Estate Tax Payment Document (Note: Occasionally, DTF staff creates its own Form ET-300, using a fill-in form. As a result, the format changes slightly.) |
| ET-500 | Generation-Skipping Transfer Tax Return for Distributions, for distributions made after May 25, 1990 and before January 1, 2007 |
| ET-501 | Generation-Skipping Transfer Tax Return for Terminations, for distributions made after May 25, 1990 and before January 1, 2007 |
| ET-706 | New York State Estate Tax Return, for an estate of an individual who died on or after February 1, 2000 and before January 1, 2007 |

| Secondary Forms | |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ET-20 | Stipulation Reserving Domicile |
| ET-90.1 | New York State Estate Tax Return, Schedules A-D, for estates not required to file federal Form 706 |
| ET-90.2 | New York State Estate Tax Return, Schedules E-G, for estates not required to file federal Form 706 |
| ET-90.3 | New York State Estate Tax Return, Schedules H-L, for estates not required to file federal Form 706 |
| ET-90.4 | New York State Estate Tax Return, Schedules M-N, for estates not required to file federal Form 706 |
| ET-92 | Application for Release of Safe Deposit Box, for estates of decedents dying before February 1, 2000 |
| ET-95 | Claim for Credit or Refund of New York State Estate Tax |
| ET-99 | Estate Tax Waiver Notice |
| ET-117 | Release of Lien of Estate Tax, real property or cooperative apartment |
| ET-141 | New York State Estate Tax Domicile Affidavit, for estates of decedents dying after May 25, 1990 |
| ET-190 | Computation of Credit for Estate Tax on Prior Transfers, for estates of decedents who died after May 25, 1990 |
| ET-411 | Computation of Estate Tax Credit for Agricultural Exemption, for estates of decedents who died after May 25, 1990 |
| ET-412 | Computation of Credit for Gift Tax, for estates of decedents who died after May 25, 1990 |
| ET-415 | Application for Deferred Payment of Estate Tax, when the estate consists largely of an interest in a closely held business, for the estate of a decedent whose date of death is after May 25, 1990 |
| ET-416 | Computation of Estate Tax Credit for Closely Held Businesses, for estates of decedents dying after June 9, 1994 |
| ET-417 | Computation of Family-Owned Business Exclusion, for estates of decedents dying on or after January 1, 1998 and before February 1, 2000 |
| ET-417-D | Computation of the Family-Owned Business Interests Deduction, for estates of decedents dying on or after January 1, 1998, and before February 1, 2000 |
| ET-418 | Computation of Qualified Conversation Easement Exclusion, for estates of decedents dying on or after January 1, 1998 and before February 1, 2000 |
| ET-419 | Computation of Exclusion for a Victim of Nazi Persecution, for estates of decedents dying before February 1, 2000 |
| Form 706 (Federal) | United States (and Generation-Skipping Transfer) Estate Tax Return |

For office use only



New York State Department of Taxation and Finance

Application for Release(s) of Estate Tax Lien

ET-30

(8/04)

For estates of individuals whose date of death is on or after February 1, 2000

| | | | |
|----------------------------------------------------------|------------|----------------|------------------------|
| Decedent's last name | First name | Middle initial | Social security number |
| Address of decedent at time of death (number and street) | | | Date of death |
| City, village, or post office | | | State |
| ZIP code | | | County of residence |

If the decedent was a nonresident of New York State on the date of death, mark an **X** in this box and attach completed Form ET-141, *Estate Tax Domicile Affidavit* ☐

Executor - If you are submitting *Letters Testamentary* or *Letters of Administration* with this form, indicate in this box the type of letters. Enter **L** if regular, **LL** if limited letters. If you are not submitting letters with this form, enter **N**. ☐

| | | | | | | |
|-----------------------------------------------------|------------|----------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------|----------------------|
| Attorney's or authorized representative's last name | First name | MI | Mark an X if POA is attached <input type="checkbox"/> | Executor's last name | First name | Middle initial |
| In care of (firm's name) | | | | If more than one executor, mark an X in the box and see instructions <input type="checkbox"/> | | |
| Address of attorney or authorized representative | | | | Address of executor | | |
| City, village, or post office | | | | City, village, or post office | | |
| State | | | | State | | |
| ZIP code | | | | ZIP code | | |
| SSN or PTIN of attorney or authorized rep. | | Telephone number () | | Social security number of executor | | Telephone number () |

Estimated value of all assets of estate (include jointly held assets)

| | | |
|------------------------------------------------------------------------|---|--|
| Real property (including property located outside New York State) | 1 | |
| All other property | 2 | |
| Total (add lines 1 and 2) | 3 | |

| | | |
|---------------------------------------------|------------------------------|-----------------------------|
| Was the decedent a member of a partnership? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Did the decedent have a surviving spouse? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

☐ Release of liens are requested (mark an **X** in the box).

To obtain a release of lien, attach the following:

1. A completed Form(s) ET-117, *Release of Lien of Estate Tax*:
 - a. for each county in which real property is located; and/or
 - b. for each cooperative apartment.

☐ Enter the number of counties in which the properties are located.

2. An original or verified copy of the *Letters Testamentary* or the *Letters of Administration*, unless previously submitted (also indicate the type of letters in the section marked *Executor*, above). Your application will not be processed until the letters of appointment are on file with the Tax Department.
3. A copy of the death certificate.

Note: A release of lien is not required if the real property was held jointly by the decedent and the surviving spouse as the only joint tenants (applicable to estates of individuals that died after May 25, 1990). **There is no fee for a release of lien.**

Mail this form with Form(s) ET-117 to: **NYS ESTATE TAX PROCESSING CENTER**
PO BOX 5556
NEW YORK NY 10087-5556

Note: If you use a private delivery service, you must mail this form to a different address listed in Publication 55 (see *Private delivery services* below).

Private delivery services — If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service unless you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the

Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

Need help?



Internet access: www.nystax.gov
(for information, forms, and publications)



Fax-on-demand forms: Forms are available
24 hours a day, 7 days a week. 1 800 748-3676



Telephone assistance is available from 8:00 A.M. to 5:00 P.M.
(eastern time), Monday through Friday.

| | |
|-------------------------------------------------|----------------|
| To order forms and publications: | 1 800 462-8100 |
| For estate tax information: | 1 800 641-0004 |
| From areas outside the U.S. and outside Canada: | (518) 485-6800 |



Hotline for the hearing and speech impaired: If you have access to a telecommunications device for the deaf (TDD), contact us at 1 800 634-2110. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.



Persons with disabilities: In compliance with the **Americans with Disabilities Act**, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 641-0004.

Instructions

When to use Form ET-30

Use this form to obtain release(s) of an estate tax lien if you are the appointed executor or administrator of the estate, or the duly authorized representative of the executor, and **fewer than nine months** have passed since the date of death and the date is on or after February 1, 2000.

Note: Waivers are not required for the estate of an individual whose date of death is on or after February 1, 2000. However, the need to obtain a release of the estate tax lien before transferring real property remains.

Submit either Letters Testamentary or Letters of Administration with the application as proof of your appointment, unless previously submitted. To be acceptable, the letters of appointment must be current and must not restrict the executor from receiving estate assets.

Letters of appointment issued by a court outside New York State are acceptable if the decedent was not a resident of New York State at the time of death, and the court has jurisdiction over the decedent's estate.

Enter the **executor's** name, address, social security number, and telephone number in the area provided. If the estate has **more than one executor**, enter the information for any executor (preferably one who is a New York State resident) in the area provided, mark an **X** in the box, and attach a list of the other executors with their addresses, telephone numbers, and social security numbers.

When to use forms other than Form ET-30

Use Form ET-706, *New York State Estate Tax Return*, when the estate is required to file a New York State estate tax return, and either:

1. The estate has not obtained an extension of time to file the estate tax return, and more than nine months have passed since the date of death; **or**
2. The estate obtained an extension of time to file the estate tax return, and more than 15 months have passed since the date of death (the extension has expired).

Use Form ET-90, *New York State Estate Tax Return*, for an individual whose date of death is after May 25, 1990, and before February 1, 2000.

Use Form ET-85, *New York State Estate Tax Certification*, if either of the following applies:

1. The estate is **not required** to file a New York State estate tax return, and either:
 - a. no executor or administrator has been appointed, **or**
 - b. more than nine months have passed since the date of death.
2. The estate is **required** to file a New York State estate tax return, and either:
 - a. fewer than nine months have passed since the date of death, and an executor or administrator has not been appointed; **or**
 - b. more than nine but less than 15 months have passed since the date of death, and an extension of time to file the estate tax return has been granted.

If the estate is subject to tax, an estimated payment may be required when Form ET-85 is filed.

The term *executor* includes executrix, administrator, administratrix, or personal representative of the decedent's estate; if no executor, executrix, administrator, administratrix, or personal representative is appointed, qualified, and acting within the United States, *executor* means any person in actual or constructive possession of any property of the decedent with sufficient knowledge to file an accurate return.

This person may file Form ET-85, Form ET-706, or Form ET-90 to obtain releases of the lien, and must assume personal liability for all estate taxes that may be due.

Specific instructions

Complete the information requested about the decedent. Please verify that the decedent's social security number is correctly entered on the application. Submit a photocopy of the death certificate with the application.

For the estate of an individual who was not a resident of New York State at the time of his or her death, complete Form ET-141, *Estate Tax Domicile Affidavit*, and attach it to the return.

If a person is authorized to represent the executor regarding the estate, and the executor prefers the department contact that person, enter the name (last name first) of the attorney, accountant, or enrolled agent representing the executor. Also, enter the firm's name, address, and telephone number in the areas provided.

If the executor has signed Form ET-14, *Estate Tax Power of Attorney*, and it is being submitted with this application, attach it to the application and mark an **X** in the box.

Complete and attach Form ET-117, *Release of Lien of Estate Tax*, if a release of lien is needed for real property or a cooperative apartment. Two parcels of real estate can be listed on one form. However, if the real property is located in different counties or a release of lien is needed for more than one cooperative apartment, a separate Form ET-117 must be completed for each county or apartment. The name and address of the executor, or authorized representative, should be entered at the top of Form ET-117 for mailing purposes.

Which estates must file a New York State estate tax return

Estate of an individual whose date of death is on or after January 1, 2004 — An estate of an individual who died on or after January 1, 2004, and who was either a resident or citizen of the United States at the time of death, must file Form ET-706, *New York State Estate Tax Return*, if the gross estate, plus federal adjusted taxable gifts and specific exemption, exceeds \$1,000,000, and either the decedent was a resident of New York State at the time of death, or the estate includes real or tangible personal property having an actual situs in New York State.

An estate of an individual who died on or after January 1, 2004, and who was a nonresident of the United States and not a U.S. citizen at the

time of death, must file Form ET-706, *New York State Estate Tax Return*, if the estate is required to file a federal estate tax return and the estate includes real or tangible personal property having an actual situs in New York State.

Estate of an individual whose date of death is on or after February 1, 2000, and before January 1, 2004 — If an estate is required to file a federal estate tax return, it is also required to file Form ET-706, *New York State Estate Tax Return*, regardless of the value of the New York estate, when either of the following applies:

1. The individual was a resident of New York State at the time of his or her death; **or**
2. In the case of a nonresident, the estate includes real property or tangible personal property having an actual situs in New York State.

Estate of an individual whose date of death is before February 1, 2000

Residents — The estate must file Form ET-90, *New York State Estate Tax Return*, if the value of the New York adjusted gross estate and New York adjusted taxable gifts totals \$300,000 or more (\$115,000 for an individual who died before October 1, 1998, and \$108,333 for an individual who died before June 10, 1994).

Nonresidents — The estate must file Form ET-90, *New York State Estate Tax Return*, if the following applies:

1. The estate includes real property or tangible personal property having an actual situs in New York State; **and**
2. The New York adjusted gross estate, computed as if a resident, and the New York adjusted taxable gifts total \$300,000 or more (\$115,000 for an individual who died before October 1, 1998, and \$108,333 for an individual who died before June 10, 1994).

Privacy notification — The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8, Room 338, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and Canada, call (518) 485-6800.

For office use only



New York State Department of Taxation and Finance

New York State Estate Tax Certification

For an estate of an individual whose date of death is after May 25, 1990

ET-85

(4/05)

| | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------|----------------|------------------------------|-----------------------------------------------------------------------------------------|
| Decedent's last name | | First name | Middle initial | Social security number (SSN) | |
| Address of decedent at time of death (number and street) | | | | Date of death | Mark box if copy of death certificate is attached (see instr.) <input type="checkbox"/> |
| City, village, or post office | | State | ZIP code | County of residence | |
| If the decedent was a nonresident of New York State on the date of death, mark an X in this box and attach a completed Form ET-141, <i>New York State Estate Tax Domicile Affidavit</i> . <input type="checkbox"/> | | | | | |
| Executor - If you are submitting <i>Letters Testamentary</i> or <i>Letters of Administration</i> with this form, indicate in this box the type of letters. Enter L if regular, LL if limited letters. If you are not submitting letters with this form, enter N . <input type="checkbox"/> | | | | | |

| | | | | | | | |
|------------------------------------------------------|--|----------------------|------------------------------------------------------|-------------------------------------------------|--|----------------------|----------|
| Attorney's or authorized representative's last name | | First name | MI | Applicant's or executor's last name | | First name | MI |
| In care of (firm's name) | | | Mark box if POA is attached <input type="checkbox"/> | Relationship to decedent | | | |
| Address of attorney or authorized representative | | | | Address of applicant or executor | | | |
| City, village, or post office | | State | ZIP code | City, village, or post office | | State | ZIP code |
| SSN or PTIN of attorney or authorized representative | | Telephone number () | | Social security number of applicant or executor | | Telephone number () | |

If an attorney or authorized representative is listed above, he or she must complete the following declaration.

I declare that I have agreed to represent the executor(s) for the above estate, that I am authorized to receive tax information regarding the estate, and I am (mark an **X** in all boxes that apply):

- ☐ an attorney;
 ☐ a certified public accountant;
 ☐ an enrolled agent; and/or
 ☐ a public accountant enrolled with the New York State Education Department.

| | |
|----------------------------------------------------|------|
| Signature of attorney or authorized representative | Date |
|----------------------------------------------------|------|

Did decedent make any New York gifts or transfers in excess of \$10,000 in any calendar year after December 31, 1982 and before January 1, 2000? ☐ Yes ☐ No
 If Yes, enter amount Also, if Yes, were gift tax returns filed? ☐ Yes ☐ No

Estimated net estate (including jointly held assets)

| | | |
|--------------------------------------------------------------------|----|--|
| 1 Real property | 1 | |
| 2 Bank deposits, mortgages, notes and cash | 2 | |
| 3 Stocks and bonds | 3 | |
| 4 Life insurance | 4 | |
| 5 Annuities | 5 | |
| 6 Retirement benefits | 6 | |
| 7 Miscellaneous assets (cars, boats, coin collections, etc.) | 7 | |
| 8 Add lines 1 through 7 | 8 | |
| 9 Estimated deductions | 9 | |
| 10 Estimated net estate (subtract line 9 from line 8) | 10 | |

Were waivers or releases of lien previously issued? If Yes, give date of issuance. ☐ Yes ☐ No

Was the decedent a member of a partnership? ☐ Yes ☐ No

Did the decedent have a surviving spouse? ☐ Yes ☐ No

If the decedent was a nonresident of New York State, does the estate include real property or tangible personal property having an actual situs in New York State? ☐ Yes ☐ No

Mark an X in the applicable box(es) below (Waivers are not required for estates of decedents dying on or after February 1, 2000. There is no fee for a waiver or release of lien.)

☐ **Waivers are requested** — Submit a separate Form ET-99, *Estate Tax Waiver Notice*, for each institution having assets in the name of the decedent, either alone or jointly with another, in excess of \$30,000 (\$50,000 for life insurance policies or employee death benefits). Waivers are not required for assets held jointly by the decedent and the surviving spouse as the only joint tenants; for assets held individually by the decedent in trust for the surviving spouse; or insurance policies, employee death benefits, and IRAs, if the surviving spouse is the sole, named beneficiary (applicable to dates of death after September 30, 1983).

☐ **Releases of lien are requested** — Submit a separate Form ET-117, *Release of Lien of Estate Tax*, for each county, cooperative housing corporation, and purchaser (see instructions). A release of lien is not required if the property was held jointly by the decedent and the surviving spouse as the only joint tenants (applicable to dates of death after May 25, 1990).

If releases of lien are required, enter the total number of counties here

Certification: The undersigned states that he or she is the duly appointed executor or administrator, or a beneficiary or person having an interest in the above named estate for which no executor or administrator has been appointed. The undersigned further states that he or she has a thorough knowledge of the decedent's assets. This certification estimates the assets of the decedent's estate, and the answers to the above questions are each and every one of them true in every particular. The certification is made to induce the Commissioner of Taxation and Finance to give a waiver notice and/or release of lien required by the Tax Law.

Signature of executor/applicant

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| State of New York, County of _____ |
| Qualified in _____ Co., Commission expires _____ |
| Sworn to before me this _____ day of _____ |
| Signature of Notary Public, Commissioner of Deeds, or authorized New York State Department of Taxation and Finance employee (affix stamp below) |

Mail to: NYS ESTATE TAX, PROCESSING CENTER, PO BOX 5556, NEW YORK NY 10087-5556.

Instructions

Use Form ET-85 when

- The estate **is not required** to file a New York State estate tax return (see filing requirements below), and either an executor or administrator has not been appointed, or if appointed, nine months has passed since the date of death.
- The estate **is required** to file a New York State estate tax return, and either:
 - less than nine months has passed since the date of death, and an executor or administrator has not been appointed, or
 - more than nine, but less than 15 months, has passed since the date of death, and an extension of time to file the estate tax return has been granted.

Use Form ET-30, Application for Release(s) of Estate Tax Lien, if letters of appointment (either Letters Testamentary or Letters of Administration) have been obtained from Surrogate's Court and less than nine months has passed since the decedent's death.

Who may file Form ET-85

Form ET-85 may be filed by an executor, administrator, a joint owner of property, the decedent's next of kin, or any person having an interest in the estate who has a thorough knowledge of the decedent's assets. The term *executor* includes executor, executrix, administrator, administratrix, or personal representative of the decedent's estate. If no executor, executrix, administrator, administratrix, or personal representative is appointed, qualified, and acting within the United States, *executor* means any person in actual or constructive possession of any property of the decedent.

If an executor or administrator has been appointed, a beneficiary of the estate may not complete this form. The beneficiary should ask the executor or administrator to obtain the waiver or release of lien. If the executor refuses to obtain the waiver, the beneficiary may petition the Surrogate's Court to require the executor to carry out his or her duties.

Liability of applicant

If the estate is subject to tax, an estimated payment may be required when Form ET-85 is filed. The tax is due not later than nine months after the date of death. Refer to the instructions on Form ET-130, *Tentative Payment of Estate Tax*, or the estate tax return for information on paying the estate tax and the due date for payment.

The applicant may be held personally liable for unpaid estate tax up to the value of the assets that were distributed before the New York State estate tax was paid in full, and all beneficiaries of the estate may be held personally liable for unpaid estate tax up to the value of property received from the estate (see Tax Law section 975).

Which estates must file a New York State estate tax return

Estates of individuals dying on or after February 1, 2000 — Form ET-706, *New York State Estate Tax Return*, must be filed under the following conditions:

- It is either the estate of an individual who was a resident of New York State at the time of death or the estate of a nonresident and the estate includes real property or tangible personal property having an actual situs in New York State; and
- the estate is required to file a federal estate tax return, Form 706 or Form 706-NA. **However**, for estates of individuals dying on or after January 1, 2004, Form ET-706 must be filed if the federal gross estate, plus federal adjusted taxable gifts and specific exemption, exceeds \$1,000,000, **even if a federal return is otherwise not required**.

For additional information refer to Form ET-706-I, *Instructions for Form ET-706*.

Estates of individuals dying after May 25, 1990, and before February 1, 2000 — The estate must file Form ET-90, *New York State Estate Tax Return*, if the value of the New York adjusted gross estate and

New York adjusted taxable gifts totals \$300,000 or more (\$115,000 for decedents who died before October 1, 1998, and \$108,333 for decedents who died before June 10, 1994), when:

- the individual was a resident of New York State at the time of his or her death, or
- in the case of a nonresident, the estate includes real property or tangible personal property having an actual situs in New York State.

Completing Form ET-85

This form may be prepared by an attorney or authorized representative, but **must be signed** by the applicant or executor and notarized.

Decedent information — Complete the information requested about the decedent. Please verify that the decedent's social security number is correctly entered on the application. Attach a photocopy of the death certificate to this application and mark an **X** in the appropriate box.

Representative information — If the executor has authorized an attorney, accountant, etc., to represent him or her regarding the estate, complete that information. If the executor has signed Form ET-14, *Estate Tax Power of Attorney*, and it is being submitted with this application, attach it to the application and mark an **X** in the appropriate box. Validated waivers will be mailed to the authorized representative listed on the form, unless you direct the department differently.

Executor/applicant information — If an executor has not been appointed, the applicant should enter his or her information in the area provided for the executor.

If the estate has more than one executor, attach a list of their names, addresses, social security numbers, and phone numbers. In the area provided, enter the information for any executor who is a New York resident (if there is one).

Estimate of net estate — The total of each category of assets should indicate the date of death value of all assets, wherever located, and whether held by the decedent alone or with someone else.

Waivers — Complete and attach a separate Form ET-99, *Estate Tax Waiver Notice*, for each bank, brokerage house, insurance company, etc., for which a waiver is needed. If there are multiple accounts with the same bank, etc., you may put more than one account on the waiver.

Note: Waivers are not required for the estates of individuals dying on or after February 1, 2000.

Releases of lien — Complete and attach Form ET-117, *Release of Lien of Estate Tax*, if a release of lien is needed for real property or a cooperative apartment. Submit a separate Form ET-117 for each county that real property is located in, and a separate form for each cooperative housing corporation and/or purchaser.

Supplemental documents

In addition to the completed waiver notices (Form ET-99) and/or releases of lien (Form ET-117); submit a copy of the will (if one exists); the death certificate (if not previously submitted); and a power of attorney, if applicable.

If the decedent was not domiciled in New York State, complete Form ET-141, *New York State Estate Tax Domicile Affidavit*, and attach it to Form ET-85.

Where to file Form ET-85

Mail this form to:

NYS ESTATE TAX
PROCESSING CENTER
PO BOX 5556
NEW YORK NY 10087-5556

Note: If you use a private delivery service, you must mail this form to a different address listed in Publication 55 (see *Private delivery services* below).

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).


This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.


Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.


Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

Need help?

 **Internet access:** www.nystax.gov
(for information, forms, and publications)


 **Fax-on-demand forms:** Forms are available 24 hours a day, 7 days a week.
1 800 748-3676

 **Telephone assistance** is available from 8:00 A.M. to 5:00 P.M. (eastern time), Monday through Friday.


To order forms and publications: 1 800 462-8100

For estate tax information: 1 800 641-0004

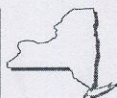
From areas outside the U.S. and outside Canada: (518) 485-6800

 **Hotline for the hearing and speech impaired:** If you have access to a telecommunications device for the deaf (TDD), contact us at 1 800 634-2110.

If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

 **Persons with disabilities:** In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 641-0004.

For office use only



New York State Department of Taxation and Finance

New York State Estate Tax Return

For estates of decedents whose date of death is after May 25, 1990
and before February 1, 2000

ET-90

(1/00)

| | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------|----------------|-------------------------------------------------------------------------------------------------------|
| Decedent's last name | | First name | Middle initial | Social security number |
| Address of decedent at time of death (number and street) | | | | Date of death <input type="checkbox"/> Check box if copy of death certificate is attached (see inst.) |
| City, village or post office | | State | ZIP code | County or residence |
| On the date of death, decedent was a: <input type="checkbox"/> Resident of New York State <input type="checkbox"/> Nonresident of New York State (attach completed Form ET-141, Estate Tax Domicile Affidavit) | | | | |
| Executor - If you are submitting letters of testamentary or letters of administration with this form, indicate in this box the type of letters. Enter L if regular, LL if limited letters. If you are not submitting letters with this form, enter N . <input type="checkbox"/> | | | | |

| | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------|----------------------|
| Attorney's or authorized representative's last name | First name | MI | Check box if POA is attached <input type="checkbox"/> | Executor's last name | First name | Middle initial |
| In care of (firm's name) | | | | If more than one executor, check box and see Instructions <input type="checkbox"/> | | |
| Address of attorney or authorized representative | | | | Address of executor | | |
| City, village or post office | | State | ZIP code | City, village or post office | | State ZIP code |
| Social security number of attorney or authorized rep. | | Telephone number | | Social security number of executor | | Telephone number () |
| <input type="checkbox"/> Waivers are requested Attach Form(s) ET-99 (see instructions) | | Releases of lien are requested Attach Form(s) ET-117 (see instructions) (Enter number of counties) <input type="checkbox"/> | | | | |
| If a proceeding for probate or administration has commenced in a surrogate's court in New York State, enter county <input type="checkbox"/> | | | | Was a copy of this return filed with the surrogate's court? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Federal estate tax return required <input type="checkbox"/> Yes <input type="checkbox"/> No | | Federal gross estate <input type="checkbox"/> | | Federal taxable estate <input type="checkbox"/> | | |

| | | | | |
|-----------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----|--|
| Tax computations | 1 | New York adjusted gross estate (from page 2, line 34) | 1 | |
| | 2 | Total New York allowable deductions (from page 2, line 51) | 2 | |
| | 3 | New York adjusted taxable estate (subtract line 2 from line 1) | 3 | |
| | 4 | New York adjusted taxable gifts (from Worksheet I in the instructions) | 4 | |
| | 5 | Preliminary tentative tax base (add lines 3 and 4) | 5 | |
| | 6 | Preliminary tentative tax on the amount on line 5 (from Table A in the instructions) | 6 | |
| | 7 | Unified credit (from Table B in the instructions) | 7 | |
| | 8 | Net preliminary tentative tax (subtract line 7 from line 6) | 8 | |
| | 9 | Tax attributable to New York adjusted taxable gifts (line 4 divided by line 5; multiplied by line 8; see instructions) | 9 | |
| | 10 | Tax not attributable to New York adjusted taxable gifts (subtract line 9 from line 8) | 10 | |
| | 11 | Multiply line 10 by the decimal on line 37 | 11 | |
| | 12 | New York tentative tax (add lines 9 and 11) | 12 | |
| | 13 | Gift tax payable for gifts made after 1982 (from Worksheet II in the instructions) | 13 | |
| | 14 | New York estate tax before other credits (subtract line 13 from line 12) | 14 | |
| | 15a | Agricultural exemption credit (from Form ET-411) | 15a | |
| 15b | Closely held business credit (from Form ET-416) | 15b | | |
| 15c | Add lines 15a and 15b | 15c | | |
| 16 | Credit for New York estate tax on prior transfer (from Form ET-190) | 16 | | |
| 17 | Credit for New York gift tax paid on pre-1983 gifts (from Form ET-412) | 17 | | |
| Attach check or money order here. | 18 | Total other credits (add lines 15c, 16 and 17) | 18 | |
| | 19a | New York net estate tax (subtract line 18 from line 14) | 19a | |
| | 19b | New York minimum tax (from Worksheet III in the instructions) | 19b | |
| | 19c | New York estate tax (add lines 19a and 19b) | 19c | |
| | 20 | Prior tax payments (attach a schedule of date(s) and amount(s) of payment(s)) | 20 | |
| | 21 | If line 20 is less than line 19c, subtract line 20 from line 19c. This is the amount you owe | 21 | |
| | 22 | If line 20 is more than line 19c, subtract line 19c from line 20. This is the amount to be refunded to you | 22 | |

Reminder: Sign this form on page 4. If there is an amount on line 21, make check payable to **Commissioner of Taxation and Finance**.

Mail your return, attachments, and payment (if any) to: **NYS Estate Tax, Processing Center, PO Box 5556, New York NY 10087-5556**

See the Instructions regarding your obligation to file a copy of this return with the surrogate's court.

Recapitulation (Attach federal Form 706 if applicable)

Do you, the executor, elect alternate valuation in accordance with section 945(b) of the Tax Law?

☐ Yes☐ No

| Gross assets (see instructions) | Value at Date of Death | or | Alternate Value |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----|--------------------|
| 23 Schedule A — Real estate | 23 | | |
| 24 Schedule B — Stocks and bonds | 24 | | |
| 25 Schedule C — Mortgages, notes, cash, and bank deposits | 25 | | |
| 26 Schedule D — Insurance on the decedent's life | 26 | | |
| 27 Schedule E — Jointly owned property | 27 | | |
| 28 Schedule F — Other miscellaneous property | 28 | | |
| 29 Schedule G — Transfers during decedent's life | 29 | | |
| 30 Schedule H — Powers of appointment | 30 | | |
| 31 Schedule I — Annuities | 31 | | |
| 32 Total (add lines 23 through 31) | 32 | | |
| 33a Enter the amount from Form ET-417, if any, for the exclusion for a family-owned business | 33a | | |
| 33b Enter the amount from Form ET-418, or federal Schedule U if any, for the exclusion for land subject to a qualified conservation easement | 33b | | |
| 33c Enter the amount from Form ET-419, if any, for assets excludible from the New York gross estate for victims of Nazi persecution | 33c | | |
| 33d Total of exclusions (add lines 33a, 33b, and 33c) | 33d | | |
| 33e * Enter the net amount of additions (or subtractions) from page 3, line 69 | 33e | | |
| 33f Add or subtract line 33e to/from the amount on line 33d | 33f | | |
| 34 New York adjusted gross estate (add or subtract line 33f to/from the amount on line 32) | 34 | | |

Computations

| | | | |
|-----------------------------------------------------------------------------------------------------------|-----|--|--|
| 35 For resident decedent (enter amount from page 3, line 70) | 35 | | |
| 36a New York gross estate for resident decedent (subtract line 35 from line 34) | 36a | | |
| 36b New York gross estate for nonresident decedent (enter amount from page 3, line 71c) | 36b | | |
| 37 Divide line 36a or 36b by line 34 (round the decimal to four places; cannot be more than 1.0000) | 37 | | |

Deductions (see instructions) **Note:** To claim a deduction for principal residence, complete Schedule 5 on page 4.

| | | | |
|------------------------------------------------------------------------------------------------------------------------------|----|--|--|
| 38 Schedule J — Funeral expenses and expenses incurred in administering property subject to claims | 38 | | |
| 39 Schedule K — Debts of decedent, including mortgages and liens | 39 | | |
| 40 Schedule L — Net losses during administration and expenses incurred in administering property not subject to claims | 40 | | |
| 41 Add lines 38, 39, and 40 | 41 | | |
| 42 Family-owned business interests deduction, from Form ET-417-D, or federal Schedule T | 42 | | |
| 43 Add lines 41 and 42 | 43 | | |
| 44 Enter the amount from Form ET-90.4, Schedule M, line 9 or from federal Form 706, page 3, Schedule M | 44 | | |
| 45 * Enter amount, if any, from page 4, line 72 | 45 | | |
| 46 New York bequests to surviving spouse (line 44 and add or subtract line 45) | 46 | | |
| 47 Enter the amount from Form ET-90.4, Schedule N, line 16 or from federal Form 706, page 3, Schedule O | 47 | | |
| 48 * Enter amount, if any, from page 4, line 73 | 48 | | |
| 49 New York charitable deduction (line 47 and add or subtract line 48) | 49 | | |
| 50 Deduction for principal residence (from line 74) | 50 | | |
| 51 Total New York allowable deductions (add lines 43, 46, 49, and 50; also enter on page 1, line 2) | 51 | | |

* For use only when a federal estate tax return, Form 706, is attached.

52 At time of death decedent was: ☐ Single ☐ Legally separated ☐ Divorced — Date _____

☐ Widow/widower — Name of deceased spouse _____ SS# _____
Date of death _____

☐ Married — Name of surviving spouse _____

Election of marital deduction for noncitizen spouse — If the surviving spouse is not a citizen of the United States, and a marital deduction is elected for New York estate tax purposes, both the executor and the surviving spouse must signify by signing below:

| | | | |
|----------------------|------|------------------------------|------|
| Executor's signature | Date | Surviving spouse's signature | Date |
|----------------------|------|------------------------------|------|

| | |
|-----------------|------------------------------|
| Estate of _____ | Social security number _____ |
|-----------------|------------------------------|

Check the **Yes** or **No** box for each question.

| | Yes | No |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 53 Do you elect a marital deduction for qualified terminable interest property under section 955(c) (QTIP)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 54 Are you making any of the following elections? (If Yes, also check applicable box or boxes below) | <input type="checkbox"/> | <input type="checkbox"/> |
| a Special use valuation under section 954-a of the Tax Law. | <input type="checkbox"/> | |
| b Exclusion for land subject to a qualified conservation easement under section 954-b of the Tax Law (see instructions) | <input type="checkbox"/> | |
| c Exclusion for a family-owned business under section 954-c of the Tax Law (complete and attach Form ET-417) | <input type="checkbox"/> | |
| d Deduction for family-owned business interests under section 955(g) of the Tax Law (see instructions) | <input type="checkbox"/> | |
| 55 Do you elect to pay the tax in installments as described in IRC section 6166 (NY 997)? If Yes, attach Form ET-415 in duplicate | <input type="checkbox"/> | <input type="checkbox"/> |
| 56 Did the decedent, at the time of death, own any interest in a partnership or unincorporated business; own stock in an inactive or closely held business; or have an interest in any commercial property or incorporated business? | <input type="checkbox"/> | <input type="checkbox"/> |
| 57 Does the gross estate contain any IRC section 2044 property? | <input type="checkbox"/> | <input type="checkbox"/> |
| 58 Was there any insurance on the decedent's life, or were there any annuities or lump sum distributions that are not included on the return as part of the gross estate? | <input type="checkbox"/> | <input type="checkbox"/> |
| 59 Was the decedent a plaintiff in any litigation at the time of death, or is there any litigation pending or contemplated on behalf of the decedent? (see instructions) | <input type="checkbox"/> | <input type="checkbox"/> |
| 60 At the time of the decedent's death, did there exist any trusts created by the decedent, or did the decedent possess a power over, a beneficial interest in, or a trusteeship of, any trust created by another? | <input type="checkbox"/> | <input type="checkbox"/> |
| 61 Are there any assets wholly or partially excluded from the gross estate other than jointly-held assets with the surviving spouse? | <input type="checkbox"/> | <input type="checkbox"/> |
| 62 Did the decedent at the time of death own any artwork, stamp collections, coin collections or other collections? | <input type="checkbox"/> | <input type="checkbox"/> |

| Schedule 1 — Adjustments to federal gross estate | Additions | Subtractions |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|
| 63 Property subject to a limited power of appointment created before September 1, 1930, includable in the New York estate under section 957 of the Tax Law | 63 | |
| 64 Federal gift tax, if any, included on Schedule G of federal Form 706 | | 64 |
| 65 New York State gift tax, if any, paid by decedent or decedent's estate for gifts made by decedent or spouse within three years of decedent's death | 65 | |
| 66 Enter the full value of property included in the federal gross estate under the provisions of section 2044 of the IRC (QTIP) | | 66 |
| 67 Enter the full value of property includable in the New York gross estate under the provisions of section 954(a)(4) and (5) of the Tax Law | 67 | |
| 68 Totals (add lines 63, 65, and 67 in Additions column and add lines 64 and 66 in Subtractions column) | 68 | |
| 69 Net difference - plus or minus (enter here and on page 2, line 33e) | 69 | |

Schedule 2 — Adjustments to determine the New York gross estate of a resident or nonresident decedent

For a resident decedent: List each item of real and tangible personal property located **outside** New York State, including the item number and the schedule on which it is listed (do not include bank accounts or other intangible assets located outside New York State). Attach additional sheets if necessary.

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|----|--|
| 70 Total value of property located outside New York State (listed above) for a resident decedent (enter here and on page 2, line 35) | 70 | |
|--------------------------------------------------------------------------------------------------------------------------------------------|----|--|

For a nonresident decedent: List each item of real property and tangible personal property located in New York State, that is required to be included in the New York gross estate. Indicate the item number and the schedule on which it is listed. **Do not include** bank accounts or other intangible assets located in or outside New York State. Property in a QTIP Trust that is not required to be included in the New York gross estate under the provisions of section 954(a)(4) and (5) of the Tax Law, should also be excluded.

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--|
| 71a Total value of property located in New York State listed above for a nonresident decedent | 71a | |
| 71b Real property and tangible personal property within New York State, that is included in the amount on lines 33a, 33b, or 33c | 71b | |
| 71c Total value of property includable in the New York gross estate of a nonresident (subtract line 71b from line 71a; enter here and on page 2, line 36b) | 71c | |

Schedule 3 — Adjustment to federal marital deduction

If an addition to, or subtraction from, the federal marital deduction is required:

List the property and indicate the federal schedule(s) on which it is listed. Also indicate the amount of the adjustment (*see instructions*). Also subtract the value of property reported on Form ET-419, *Computation of Exclusion for a Victim of Nazi Persecution*, that passed to the surviving spouse.

Note: If you are making adjustments to claim the marital deduction for a surviving spouse who is not a citizen of the United States, both the executor and the surviving spouse must sign in the space provided in item 52 on the bottom of page 2.

72 Total value of property listed on this schedule (*if negative amount, enter minus sign; enter here and on page 2, line 45*) ... **72**

Schedule 4 — Adjustment to federal deduction for charitable, public, and similar gifts and bequests

If a addition to, or subtraction from, the federal marital deduction is required:

List the property and indicate the federal schedule(s) on which it is listed. Also indicate the amount of the adjustment (*see instructions*). Include as an addition property passing under limited power of appointment created before September 1, 1930, that passes or has passed to a qualified charitable organization, if such property is included in the amount on line 63, page 3 (Tax Law, section 957(c)). Subtract the value of property reported on Form ET-419, *Computation of Exclusion for a Victim of Nazi Persecution*, that passed to a qualified charitable organization.

73 Total value of property listed on this schedule (*if negative amount, enter minus; enter here and on page 2, line 48*) **73**

Schedule 5 — Deduction for principal residence (for the estate of a decedent whose date of death is on or after June 8, 1995)

| | | | |
|-----------|-----------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| a. | Value of principal residence as reported on Schedule A, B, E (Part II only), F, or G | a | |
| b. | Mortgages and other deductions specifically attributable to principal residence as reported on Schedules J, K, L, M, and N: | | |
| | Administration expenses (<i>from Schedules J and L</i>) | | |
| | Debts of decedent (<i>from Schedule K</i>) | | |
| | Bequests to spouse (marital deduction) (<i>from Schedule M</i>) | | |
| | Charitable bequests (<i>from Schedule N or federal Schedule O</i>) | | |
| | Total deductions (<i>add items above</i>) | b | |
| c. | Net value of principal residence (<i>subtract line b from line a</i>) | c | |
| d. | Maximum allowable deduction | d | 250,000 00 |
| 74 | Deduction for principal residence (<i>enter the lesser of line c or line d; enter here and on line 50</i>) | 74 | |

If an attorney or authorized representative is listed on page 1, he or she must complete the following declaration:

I declare that I am a (*check one or more*) ☐ attorney; ☐ certified public accountant; ☐ enrolled agent; or
☐ public accountant enrolled with the New York State Education Department;
 and agree to represent the executor for the estate, and I am authorized to receive tax information regarding this estate.

| | |
|----------------------------------------|------|
| Signature of authorized representative | Date |
|----------------------------------------|------|

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer other than the executor is based on all information on which preparer has any knowledge. Furthermore, I/we, as executor(s) for this estate, authorize the person, if any, named as my/our representative on the front of this return to receive confidential tax information regarding this estate.

| | | | |
|-----------------------|-------------------------------------------|--------------------------|----------|
| Signature of executor | Date | Signature of co-executor | Date |
| Preparer's name | Signature of preparer other than executor | | Date |
| Address of preparer | City | State | ZIP code |

For office use only



New York State Department of Taxation and Finance

Tentative Payment of Estate Tax

ET-130

(7/04)

| | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------|----------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Decedent's last name | | First name | Middle initial | Social security number | |
| Address of decedent at time of death (number and street) | | | | Date of death | Check box if copy of death certificate is attached (see inst.) <input type="checkbox"/> |
| City, village, or post office | | State | ZIP code | County of residence | |
| If the decedent was a nonresident of New York State on the date of death, check this box and attach completed Form ET-141, <i>New York State Estate Tax Domicile Affidavit</i> <input type="checkbox"/> | | | | | |
| Executor: If you are submitting <i>Letters Testamentary</i> or <i>Letters of Administration</i> with this form, indicate in this box the type of letters. Enter L if regular, LL if limited letters. If you are not submitting letters with this form, enter N . <input type="checkbox"/> | | | | | |
| Attorney's or authorized representative's last name | | First name | MI | Check box if POA is attached <input type="checkbox"/> | Executor's last name |
| | | | | | First name |
| | | | | | Middle initial |
| In care of (firm's name) | | | | If more than one executor, check box (see instructions) <input type="checkbox"/> | |
| Address of attorney or authorized representative | | | | Address of executor | |
| City, village, or post office | | State | ZIP code | City, village, or post office | |
| | | | | State | |
| | | ZIP code | | ZIP code | |
| SSN or PTIN of attorney or authorized rep. | | Telephone number () | | Social security number of executor | |
| | | | | Telephone number () | |

Computation of tentative payment

| | | | |
|---|------------------------------------------------------------------------------------------------------------------|----|--|
| 1 | Estimated value of gross estate (see instructions) | 1. | |
| 2 | Estimated deductions (see instructions) | 2. | |
| 3 | Estimated taxable estate for New York (subtract line 2 from line 1) | 3. | |
| 4 | Estimated net estate tax for New York (see instructions) | 4. | |
| 5 | Amount previously remitted, if any | 5. | |
| 6 | Amount remitted with this form (make check or money order payable to Commissioner of Taxation and Finance) | 6. | |

Attach check or money order here.

Instructions

General instructions

Purpose of Form ET-130

Form ET-130 should only be used to make a tentative payment of estate tax.

Extension of time to file and/or pay the estate tax.

If you need an extension of time to file the estate tax return or pay the estate tax, or both, file Form ET-133, *Application for Extension of Time to File and/or Pay Estate Tax*. You must file Form ET-133 not later than nine months after the decedent's date of death. The estate may also make a tentative payment of the estate tax with Form ET-133, when it requests an extension of time to file the return or an extension of time to pay the tax.

Interest and penalty

Interest

Underpayment of tax — To avoid the assessment of interest, you must pay the total tax as finally determined within nine months of the date of death, even if you received an extension of time to file the return. Interest is compounded daily, and the rate is adjusted quarterly.

Penalty

Late payment penalty — If you do not pay the tax when due, you will be charged a penalty of ½% of the unpaid portion of the total tax shown on the return for each month or part of a month the tax remains unpaid. It will be computed from the due date to the date of payment, up to a maximum of 25% (New York State Tax Law sections 990 and 685(a)(2)). This penalty is in addition to the interest charged for late payments, and may be waived if you attach an explanation showing reasonable cause for paying late.

Decedent information

Enter the name of the decedent (last name first), home address at the time of death, social security number, date of death (month, date, and year), and county of residence. If you have not submitted a copy of the death certificate, check the box and attach a copy. If the decedent was not a resident of New York State at the time of death, check the box and attach a completed Form ET-141, *New York State Estate Tax Domicile Affidavit*, if one was not submitted previously.

Attorney/representative information

If the estate is represented by an attorney, accountant, or other authorized representative, and a Form ET-14, *Estate Tax Power of Attorney*, has not been submitted previously, you may submit one at this time by attaching it to this form and checking the POA box next to the attorney's/representative's name above.

Instructions (continued)

Executor information

The term *executor* includes executrix, administrator, administratrix, or personal representative of the decedent's estate; if no executor, executrix, administrator, administratrix, or personal representative is appointed, qualified, and acting within the United States, *executor* means any person in actual or constructive possession of any property of the decedent with sufficient knowledge to file an accurate return.

If an executor has not been appointed, this form may be filed by a person having knowledge of all the assets in the decedent's estate. This person must also enter his or her name, address, and social security number in the area provided for the executor.

If the estate has more than one executor, attach a list of their names, addresses, social security numbers, and phone numbers. In the area provided enter the information for an executor who is a New York State resident, if there is one.

Note: If letters testamentary or letters of administration have been obtained from surrogate's court but not submitted, attach them to this form and indicate in the space provided the type of letters you are submitting.

Specific instructions

Line 1 — Refer to federal Form 706, page 1, Part 2, line 1. If the decedent was not a United States citizen or resident, then refer to federal Form 706-NA, page 2, Schedule B, line 1. If the decedent died before February 1, 2000, then refer to Form ET-90, page 1, line 1.

Line 2 — Refer to federal Form 706, page 1, Part 2, line 2. If the decedent was not a United States citizen or resident, then refer to federal Form 706-NA, page 2, Schedule B, line 7. If the decedent died before February 1, 2000, then refer to Form ET-90, page 1, line 2.

Line 4 — Refer to Form ET-706 and ET-706-I. If the decedent died before February 1, 2000, then refer to Form ET-90, page 1, line 19a.

Where to file

Mail this form and your payment to: **NYS Estate Tax, Processing Center, PO Box 5556, New York NY 10087-5556.**

Note: If you use a private delivery service, you must mail this form and payment to a different address listed in Publication 55 (see *Private delivery services* below.)

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

Need help?



Internet access: www.nystax.gov
(for information, forms, and publications)



Fax-on-demand forms: Forms are available
24 hours a day, 7 days a week. 1 800 748-3676



Telephone assistance is available from 8:00 A.M. to 5:00 P.M.
(eastern time), Monday through Friday.

To order forms and publications: 1 800 462-8100
For estate tax information: 1 800 641-0004
From areas outside the U.S. and
outside Canada: (518) 485-6800



Hotline for the hearing and speech impaired: If you have
access to a telecommunications device for the deaf (TDD),
contact us at 1 800 634-2110. If you do not own a TDD, check
with independent living centers or community action programs to find
out where machines are available for public use.



Persons with disabilities: In compliance with the
Americans with Disabilities Act, we will ensure that our
lobbies, offices, meeting rooms, and other facilities are
accessible to persons with disabilities. If you have questions about
special accommodations for persons with disabilities, please call
1 800 972-1233.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

For office use only



New York State Department of Taxation and Finance

Application for Extension of Time To File and/or Pay Estate Tax

ET-133

(5/04)

| | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Decedent's last name | | First name | Middle initial | Social security number | |
| Address of decedent at time of death (number and street) | | | | Date of death | Mark an X if copy of death certificate is attached (see inst.) <input type="checkbox"/> |
| City, village, or post office | | State | ZIP code | County of residence | |
| If the decedent was a nonresident of New York State on the date of death, mark an X in the box and attach completed Form ET-141, <i>New York State Estate Tax Domicile Affidavit</i> <input type="checkbox"/> | | | | | |
| Executor: If you are submitting letters testamentary or letters of administration with this form, indicate in this box the type of letters. Enter L if regular, LL if limited letters. If you are not submitting letters with this form, enter N . <input type="checkbox"/> | | | | | |
| Attorney's or authorized representative's last name | | First name | MI | Mark an X if POA is attached <input type="checkbox"/> | Executor's last name First name Middle initial |
| In care of (firm's name) | | | If more than one executor, mark an X in the box and see <i>Instructions</i> <input type="checkbox"/> | | |
| Address of attorney or authorized representative | | | Address of executor | | |
| City, village, or post office | | State | ZIP code | City, village, or post office State ZIP code | |
| SSN or PTIN of attorney or authorized rep. | | Telephone number () | | Social security number of executor Telephone number () | |
| <input type="checkbox"/> Extension of time to file (Tax Law, section 976(a)(1)) Mark an X in this box and, in the space provided below, explain in detail why it is impossible or impractical to file a return within 9 months after the date of the decedent's death (see <i>instructions on back</i>). | | | | Extension date requested month day year | |
| <input type="checkbox"/> Extension of time to pay (Tax Law, section 976(a)) Mark an X in this box and, in the space provided below, explain in detail why payment of the estate tax by the due date (that is, within 9 months of the date of death) will cause undue hardship to the estate. Include documentation of any effort the estate has made to convert assets to pay the tax. If the tax cannot be determined because the size of the estate is unascertainable, mark an X here <input type="checkbox"/> and attach an explanation (see <i>instructions on back</i>). | | | | Extension date requested month day year | |
| State in detail why you need an extension. (Attach additional sheets if necessary.) | | | | | |

Computation

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|----|--|
| 1 Estimated value of federal gross estate for New York (include all property, wherever located) | 1. | |
| 2 Estimated deductions (see instructions for federal Form 706) | 2. | |
| 3 Estimated federal taxable estate for New York (subtract line 2 from line 1) | 3. | |
| 4 Estimated net estate tax for New York | 4. | |
| 5 Amount previously remitted, if any | 5. | |
| 6 Amount remitted with this form, if any (make check or money order payable to Commissioner of Taxation and Finance and attach to this form) | 6. | |

Certification: Under penalties of perjury, I declare that I am either the duly appointed executor or administrator for the above-named estate or, if no executor or administrator has been appointed, a person in actual or constructive possession of any property of the decedent with sufficient knowledge to file an accurate return, the attorney or accountant representing such individual, or a person with a power of attorney to act on behalf of the executor, and that, to the best of my knowledge and belief, the information contained on this application is true and correct.

| | |
|-----------|------|
| Signature | Date |
|-----------|------|

Instructions

Who may file Form ET-133

The executor who is required to file the estate tax return for the decedent's estate may file Form ET-133 to apply for an extension of time to file or for an extension of time to pay the estate tax, or both, under section 976 of the Tax Law. The term *executor* includes executrix, administrator, administratrix, or personal representative of the decedent's estate; if no executor, executrix, administrator, administratrix, or personal representative is appointed, qualified, and acting within the United States, *executor* means any person in actual or constructive possession of any property of the decedent. Also, an authorized attorney, certified public accountant, or other person holding power of attorney (POA) may use this form to apply for an extension of time on behalf of the executor.

If you have not previously submitted a copy of the death certificate, mark the box and attach a copy to this form.

If letters testamentary or letters of administration have been obtained from surrogate's court but not submitted, attach them to this form and indicate in the space provided the type of letters you are submitting.

If the estate has more than one executor, attach a list of their names, addresses, social security numbers, and phone numbers. In the area provided, enter the information for an executor who is a New York resident, if there is one.

If this application is signed by the authorized representative of the executor, enter the information for that person (attorney, CPA, or person with POA) in the area indicated for attorney or authorized representative.

Note: If an executor has not been appointed, this application may be signed by a person acting as executor who has sufficient knowledge of the estate to file an accurate return. The information (name, address, etc.) for the person acting as executor should be entered in the area provided for the executor. If the application is signed by the authorized representative of a person acting as executor, refer to the information above.

When to file

You must file Form ET-133 not later than nine months after the date of death. However, to avoid penalties if the Tax Department denies your application(s), you should file the application early enough so that the Tax Department can review the application and reply before the estate tax and return are due. We will notify you in writing of the Tax Department's decision. If we approve your application, you must file the return and/or pay the tax by the extended due date(s).

Where to file

Mail this form and your payment (if required) to: **NYS Estate Tax, Processing Center, PO Box 5556, New York NY 10087-5556.**

Note: If you use a private delivery service, you must mail this form and payment to a different address listed in Publication 55 (see *Private delivery services* below.)

Private delivery services — If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

Estate tax return due date — The return due date is nine months after the decedent's death. If there is no numerically corresponding day in the ninth month, the last day of the ninth month is the due date. When the due date falls on Saturday, Sunday, or a legal holiday, the due date is the next weekday that is not a legal holiday.

Extension of time to file (Tax Law, section 976(a)(1))

The extension of time to file an estate tax return may not exceed six months unless the executor is out of the country.

The application must establish sufficient cause why it is impossible or impractical for the executor to file a return by the estate tax return due date.

An extension of time to file does not extend the time to pay. Therefore, if the application is for an extension of time to file only, you must show the amount of the estate tax estimated to be due and include a check or money order payable to the **Commissioner of Taxation and Finance** with the

application (if not previously paid). Write the decedent's social security number and **Estate tax** on the check or money order.

Extension of time to pay (Tax Law, section 976(a))

Note: An extension of time to pay does not extend the time to file. You must file the return within nine months after the date of death, unless an extension of time to file has been granted.

A discretionary extension of time to pay for undue hardship under section 976(a)(3) may not exceed four years. For information on an extension of time granted to a closely held business under section 997, see Form ET-415, *Application for Deferred Payment of Estate Tax*.

The application must establish that it is an undue hardship for the executor to pay the full amount of the estate tax by the estate tax return due date (nine months after the date of death). You must document any effort the estate has made to convert assets to pay the tax. Include information on the listing of real estate, loans, marketability of securities, and so forth.

In general, an extension of time to pay will be granted only for the amount of the cash shortage. You must show the amount of the estate tax (attach a copy of the return if it has already been filed; otherwise estimate the tax), the amount of the cash shortage (including a statement of the current assets in the estate and the assets already distributed), a plan for partial payments during the extension period, and the balance due. You must attach a check or money order payable to the **Commissioner of Taxation and Finance** for the balance due. Write the decedent's social security number and **Estate tax** on the check or money order.

You must pay the part of the estate tax, including the accrued interest, for which the extension of time is granted by the extended due date. If you pay within this period, interest is computed from the date that is nine months after the date of death to the date of payment.

Penalties — Penalties may be imposed for failure to file the estate tax return within the extension period granted, or failure to pay the balance of the estate tax due within the extension period granted.

Bond — If an extension of time to pay is granted, the executor may be required to furnish a bond.

Privacy notification — The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department uses this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers is provided to certain state agencies, for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.

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Persons with disabilities: In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 972-1233.



New York State Department of
Taxation and Finance

Taxpayer Services and Revenue Division
W A Harriman Campus
Albany NY 12227

For Office Use Only

Estate Tax Payment Document

Date: ____/____/____

Installment indicator: ■ _____

Payment for taxpayer ID: ■ ____ - ____ - ____ Associated form type: ■ _____

Date of death: ■ ____/____/____ Associated FTN: ■ _____

Explanation:

☐ Your check, number _____ dated ____/____/____, in the amount of _____, is unprocessable for the following reason: ☐ Insufficient funds ☐ Other _____

Note: Penalty, interest, or both **may** be accumulating. The date your replacement check is received will be the date of payment.

☐ We are enclosing a *Deferred Tax Bill* issued under section 997 of the Tax Law. Keep the bill for your records and forward a remittance for the amount shown to be due on line 5 of this form using the instructions below.

| | | |
|--------------------|-----|-------|
| 1 Tax | 1 ■ | _____ |
| 2 Penalty | 2 ■ | _____ |
| 3 Interest | 3 ■ | _____ |
| 4 Fee | 4 ■ | _____ |
| 5 Total amount due | 5 | _____ |

Instructions - Make your remittance payable to the **Commissioner of Taxation and Finance**.

- Include the name and ID number of the estate, trustee, or distributee on your remittance.
- **Return** this entire form with your remittance to the address below.

cc: file
attorney

Enclosure

ET-300 (10/01)

NEW YORK STATE ESTATE TAX
PROCESSING CENTER
PO BOX 5556
NEW YORK NY 10087-5556

For office use only



New York State Department of Taxation and Finance

Generation-Skipping Transfer Tax Return for Distributions

ET-500
(12/05)

For distributions made after May 25, 1990, and before January 1, 2007

| | | |
|---------------------------------------------------------------------------------------|-------|--------------------------|
| Name of skip-person distributee (last, first, middle initial) | | Calendar year |
| Name and title of person filing return (if different from above, see instructions) | | SSN of distributee |
| Address of distributee or person filing return (number and street or post office box) | | EIN of trust distributee |
| City, village, or post office | State | ZIP code |

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-------------------|----|
| 1 Maximum state generation-skipping transfer tax credit allowable (see instructions) | | $\times 0.0275 =$ | 1. |
| Proration of the federal credit for state generation-skipping transfer tax (complete lines 2, 3, and 4 only if there is real property or tangible personal property located outside New York State, or if the original transferor was a nonresident) | | | |
| 2 Gross value of New York property included in the taxable distribution for federal generation-skipping transfer tax purposes (see instr.) .. | 2. | | |
| 3 Gross value of all property in the taxable distribution for federal generation-skipping transfer tax purposes (see instructions) | 3. | | |
| 4 Divide line 2 by line 3 (round the result to the fourth decimal place) | 4. | | |
| 5 New York generation-skipping transfer tax (Multiply line 1 by line 4. If no entries are made on lines 2, 3, and 4, enter the amount from line 1) | 5. | | |
| 6 Estimated payment (see instructions) | 6. | | |
| 7 If line 6 is less than line 5, subtract line 6 from line 5. This is the amount you owe | 7. | | |
| 8 If line 6 is greater than line 5, subtract line 5 from line 6. This is the amount to be refunded to you | 8. | | |

Attach a copy of your federal generation-skipping transfer tax return, Form 706-GS(D), along with all supporting schedules and documents.

| | | |
|--------------------------------------------------------------|-------------------------|------|
| Signature of taxpayer or person filing on behalf of taxpayer | | Date |
| Signature of paid preparer | | Date |
| Paid preparer's name | Paid preparer's address | |

Instructions

General instructions

The New York State generation-skipping transfer (GST) tax applies to distributions and terminations from a trust to a skip person that are not direct skips and occur at the same time as, and as a result of, the death of an individual. Use this form for distributions. For terminations, use Form ET-501. The New York State GST tax rate on taxable distributions and terminations is 2.75%, which is 5% of the federal GST tax rate of 55%. The 55% rate is the same as the maximum federal estate tax rate for dates of death before 2002, and is applicable for federal purposes to any taxable distribution or termination from a trust made before 2002.

The New York rate is the maximum allowed as a federal credit for state GST taxes on taxable distributions and terminations from a trust before 2002. Since New York State does not conform to the change in the federal rate enacted by the federal *Economic Growth and Tax Relief Reconciliation Act of 2001*, the New York rate remains at 2.75% without regard to the date of the generation-skipping transfer.

Purpose of form

Form ET-500 is used by a skip-person distributee to calculate and report the New York State GST tax due on distributions of New York property from a trust, other than direct skips, that are subject to the federal GST tax. The New York State GST tax is limited to those distributions of New York property that occur at the same time as, and as a result of, the death of an individual (see *Specific instructions* on the back page). If you have distributions from more than one trust, you must file a separate return for each trust.

Payment of tax

New York State GST tax becomes due and payable April 15 of the year following the calendar year in which the distributions are made.

Make check or money order payable to **Commissioner of Taxation and Finance**. Please write the distributee's name, social security number or the trust's EIN number, and **Generation-skipping transfer tax** on the check or money order to help us process the payment.

Instructions (continued)

Who must file

In general, anyone who receives a taxable distribution from a trust made after May 25, 1990, must file Form ET-500.

Where to file

NYS GENERATION-SKIPPING TRANSFER TAX
PROCESSING CENTER
PO BOX 5556
NEW YORK NY 10087-5556

Note: If you use a private delivery service, you must mail this form and payment to a different address listed in Publication 55 (see *Private delivery services* below.)

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

When to file

You must file Form ET-500 on or after January 1, but not later than April 15, of the year following the calendar year in which the distributions are made.

Extensions of time to file

If you know that you cannot meet the filing deadline, request an extension of time by writing to the following address:

NYS TAX DEPARTMENT
TTTB — ESTATE TAX SECTION
W A HARRIMAN CAMPUS
ALBANY NY 12227

The time to file will be automatically extended four months if the letter is sent by April 15. **Note:** Filing a request for an extension of time to file does not extend the time for payment of tax. See *Payment of tax* on the front page.

Specific instructions

The taxable amount of the distributions from the trust to the distributee that are not direct skips and that occur at the same time as, and as a result of, the death of an individual are multiplied by the tax rate. When there are taxable distributions from the trust that did not occur at the same time as, and as a result of, the death of an individual, those distributions and their related expenses are excluded from the calculation for New York State. In calculating the taxable amount subject to the New York tax, the adjusted allowable expenses must be allocated. The trustee must supply the distributee with the calculation of the inclusion ratio for each distribution.

Note: Since New York State GST tax does not conform to the change in the federal GST tax exemption enacted by the federal *Economic Growth and Tax Relief Reconciliation Act of 2001*, the lifetime GST tax exemption used in the numerator of the calculation of the inclusion ratio is limited to \$1,140,000 for transfers made in 2004, \$1,170,000 for transfers made in 2005, and \$1,200,000 for transfers made in 2006. These amounts differ from the federal lifetime GST exemption amount of \$1,500,000 for transfers made in 2004 and 2005, and \$2,000,000 for transfers made in 2006, 2007, and 2008.

The distributee must attach a schedule showing how the taxable amount for New York State was computed.

Line 1 — In the first box, enter the total of the taxable amounts of the taxable distributions to the distributee that occurred at the same time as, and as a result of, the death of an individual. Multiply this amount by the factor of 0.0275 and enter the result in the second box.

Line 2 — Enter the value (on the date of distribution) of the New York property that was included in the taxable distribution. The term *New York property* includes real property and tangible personal property having an actual situs in New York State; intangible personal property within the state employed in carrying on a trade, business, or occupation in New York State; and intangible personal property if the original transferor was a resident of New York State at the time of original transfer.

Line 3 — Enter the value (on the date of distribution) of all property included in the generation-skipping transfer from the trust, including the value of the New York property.

Line 6 — Enter the amount of any estimated payments.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

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Persons with disabilities: In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 641-0004.

For office use only



New York State Department of Taxation and Finance

Generation-Skipping Transfer Tax Return for Terminations

For distributions made after May 25, 1990, and before January 1, 2007

ET-501
(12/05)

| | | |
|--------------------------------------------------|---------|---------------|
| Name of trust | | Calendar year |
| Name of trustee filing return | | EIN of trust |
| Name and acting capacity of person filing return | Address | |

- 1 Maximum state generation-skipping transfer tax credit allowable (see instructions).....

x 0.0275 = 1.

Proration of the federal credit for state generation-skipping transfer tax (complete lines 2, 3, and 4 only if there is real property or tangible personal property located outside New York State, or if the original transferor was a nonresident)

- 2 Gross value of New York property included in the taxable termination for federal generation-skipping transfer tax purposes (see instr.)

2.

- 3 Gross value of all property included in the taxable termination for federal generation-skipping transfer tax purposes (see instr.)

3.

- 4 Divide line 2 by line 3 (round the result to the fourth decimal place)

4.

- 5 New York generation-skipping transfer tax (Multiply line 1 by line 4. If no entries are made on lines 2, 3, and 4, enter the amount from line 1)

5.

- 6 Estimated payment (see instructions)

6.

- 7 If line 6 is less than line 5, subtract line 6 from line 5. This is the **amount you owe**

7.

- 8 If line 6 is greater than line 5, subtract line 5 from line 6. This is the amount to be **refunded to you**

8.

Attach a copy of your federal generation-skipping transfer tax return, Form 706-GS(T), along with all supporting schedules and documents.

| | | |
|--------------------------------------------------------------|-------------------------|------|
| Signature of taxpayer or person filing on behalf of taxpayer | | Date |
| Signature of paid preparer | | Date |
| Paid preparer's name | Paid preparer's address | |

Instructions

General instructions

The New York State generation-skipping transfer (GST) tax applies to distributions and terminations from a trust to a skip person that are not direct skips and occur at the same time as, and as a result of, the death of an individual. Use this form for terminations. For distributions, use Form ET-500. The New York State GST tax rate on taxable distributions and terminations is 2.75%, which is 5% of the federal GST tax rate of 55%. The 55% rate is the same as the maximum federal estate tax rate for dates of death before 2002, and is applicable for federal purposes to any taxable distribution or termination from a trust made before 2002.

The New York rate is the maximum allowed as a federal credit for state GST taxes on taxable distributions and terminations from a trust before 2002. Since New York State does not conform to the change in the federal rate enacted by the federal *Economic Growth and Tax Relief Reconciliation Act of 2001*, the New York rate remains at 2.75% without regard to the date of the generation-skipping transfer.

Purpose of form

Form ET-501 is used by a trustee to calculate and report the New York State GST tax due on certain trust terminations, other than direct skips, that are subject to the federal GST tax. The New York State GST tax is limited to those terminations that include New York property and that occur at the same time as, and as a result of, the death of an individual (see *Specific instructions* on the back page).

Payment of tax

New York State GST tax becomes due and payable April 15 of the year following the calendar year in which the termination occurs.

Make check or money order payable to **Commissioner of Taxation and Finance**. Please write the trust's name, EIN number, and **Generation-skipping transfer tax** on the check or money order to help us process the payment.

Instructions (continued)

Who must file

In general, the trustee of any trust that has a taxable termination after May 25, 1990, must file Form ET-501.

Where to file

NYS GENERATION-SKIPPING TRANSFER TAX
PROCESSING CENTER
PO BOX 5556
NEW YORK NY 10087-5556

Note: If you use a private delivery service, you must mail this form and payment to a different address listed in Publication 55 (see *Private delivery services* below.)

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your return, contact that private delivery service for instructions on how to obtain written proof of the date your return was given to the delivery service for delivery.

When to file

You must file Form ET-501 on or after January 1, but not later than April 15, of the year following the calendar year in which the termination occurs.

Extensions of time to file

If you know that you cannot meet the filing deadline, request an extension of time by writing to the following address:

NYS TAX DEPARTMENT
TTTB — ESTATE TAX SECTION
W A HARRIMAN CAMPUS
ALBANY NY 12227

The time to file will be automatically extended four months if the letter is sent by April 15. **Note:** Filing a request for an extension of time to file does not extend the time for payment of tax. See *Payment of tax* on the front page.

Specific instructions

The inclusion ratio amounts for all terminations from the trust that are not direct skips and that occur at the same time as, and as a result of, the death of an individual are multiplied by the tax rate. The inclusion ratio amount is the result of multiplying the taxable amount (after expenses) of the terminations by the inclusion ratio. The trustee must figure the inclusion ratio for each termination, and different ratios must be shown on separate Schedules A.

Note: Since New York State GST tax does not conform to the change in the federal GST tax exemption enacted by the federal *Economic Growth and Tax Relief Reconciliation Act of 2001*, the lifetime GST tax exemption used in the numerator of the calculation of the inclusion ratio is limited to \$1,140,000 for transfers made in 2004, \$1,170,000 for transfers made in 2005, and \$1,200,000 for transfers made in 2006. These amounts differ from the federal lifetime GST exemption amount of \$1,500,000 for transfers made in 2004 and 2005, and \$2,000,000 for transfers made in 2006, 2007, and 2008.

When there are taxable terminations that did not involve New York property or did not occur at the same time as, and as a result of, the death of an individual, those terminations and their related expenses are excluded from the calculation for New York State. In cases where there are multiple terminations, some of which are not taxable for

New York State, the trustee must attach a schedule showing how the inclusion ratio amounts for New York State were computed.

Line 1 — In the first box, enter the total of the inclusion ratio amounts of the taxable terminations that occurred at the same time as, and as a result of, the death of an individual. Multiply this amount by the factor of 0.0275 and enter the result in the second box.

Line 2 — Enter the value (on the date of termination) of the New York property that was included in the taxable termination. The term *New York property* includes real property and tangible personal property having an actual situs in New York State; intangible personal property within the state employed in carrying on a trade, business, or occupation in New York State; and intangible personal property if the original transferor was a resident of this state at the time of original transfer.

Line 3 — Enter the value (on the date of termination) of all property included in the taxable termination, including the value of the New York property.

Line 6 — Enter the amount of any estimated payments.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

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For office use only



New York State Department of Taxation and Finance

New York State Estate Tax Return

ET-706

(4/06)

For an estate of an individual who died
on or after February 1, 2000 and before January 1, 2007

Check here if this
is an amended return ☐

| | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------|----------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------|
| Decedent's last name | | First name | Middle initial | Social security number (SSN) | |
| Address of decedent at time of death (number and street) | | | | Date of death | Check box if copy of death certificate is attached (see instr.) <input type="checkbox"/> |
| City, village, or post office | | State | ZIP code | County of residence | |
| If the decedent was a nonresident of New York State (NYS) on the date of death, mark an X in this box and attach a completed Form ET-141, <i>New York State Estate Tax Domicile Affidavit</i> . <input type="checkbox"/> | | | | | |
| Employer identification number (EIN) of the estate | | | Name and EIN of any trusts created or funded by the will | | |
| Executor – If you are submitting <i>Letters Testamentary</i> or <i>Letters of Administration</i> with this form, indicate in this box the type of letters. Enter L if regular, LL if limited letters. If you are not submitting letters with this form, enter N . | | | | | |
| Surrogate's court – If a proceeding for probate or administration has commenced in a surrogate's court in NYS, enter county. | | | | | |

| | | | | | | | |
|-----------------------------------------------------|--|-------------------------------------------------------|----------|----------------------------------------------------------------------------------|--|----------------------|----------|
| Attorney's or authorized representative's last name | | First name | MI | Executor's last name | | First name | MI |
| In care of (firm's name) | | Check box if POA is attached <input type="checkbox"/> | | If more than one executor, check box (see instructions) <input type="checkbox"/> | | | |
| Address of attorney or authorized representative | | | | Address of executor | | | |
| City, village, or post office | | State | ZIP code | City, village, or post office | | State | ZIP code |
| SSN or PTIN of attorney or authorized rep. | | Telephone number () | | Social security number of executor | | Telephone number () | |

If the decedent possessed a cause of action or was a plaintiff in any litigation at the time of death, check this box and complete Schedule 3 on page 2 (see Form ET-706-I, Instructions for Form ET-706) ☐

Installment payments of tax for closely held business — Do you elect to pay the tax in installments as described in IRC section 6166 (NYS Tax Law section 997)? If Yes, attach Form ET-415 ☐ Yes ☐ No

If releases of lien are needed, attach Form(s) ET-117 (see instructions) and enter the number of counties here ☐

a Is a federal estate tax return (either federal Form 706 or 706-NA) required to be filed with the IRS (see instr.)? ☐ Yes ☐ No

Note: You must submit a completed federal estate tax return with this return, even when you are not required to file with the federal Internal Revenue Service.

b Taxable estate for NYS (from page 3, Schedule A, line 26, or page 4, Schedule B, line 43) ☐

c Gross federal estate tax for NYS (from page 3, Schedule A, line 31, or page 4, Schedule B, line 48) ☐

| | | | | |
|-----------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--|
| Tax computation | 1 | NYS credit for state death taxes (from page 3, Schedule A, line 36, or page 4, Schedule B, line 51) | 1. | |
| | 2 | If there is property outside NYS that is included in the federal gross estate, see instructions; otherwise enter 0 here and on lines 3, 5, 6, and 7, and enter the amount from line 1 on line 8 | 2. | |
| | 3 | Residents enter amount from page 2, Sch. 1, line 14; nonresidents enter amount from page 2, Sch. 2, line 19 | 3. | |
| | 4 | Total gross estate, less exclusion, for NYS (from page 3, Schedule A, line 22, or page 4, Schedule B, line 39) | 4. | |
| | 5 | Divide line 3 by line 4 (round the result to the fourth decimal place). The result should not be greater than 1.0 | 5. | |
| | 6 | Multiply the amount on line 1 by the decimal on line 5 (round to nearest cent) | 6. | |
| | 7 | Enter the lesser of line 2 or line 6, if any; otherwise enter 0 | 7. | |
| | 8 | NYS estate tax (subtract the amount on line 7 from the amount on line 1) | 8. | |
| | 9 | Prior tax payments to NYS, if any (attach a schedule of dates and amounts) | 9. | |
| | 10 | If line 9 is less than line 8, subtract line 9 from line 8. This is the amount you owe | 10. | |
| | 11 | If line 9 is greater than line 8, subtract line 8 from line 9. This is the amount to be refunded to you | 11. | |

If an attorney or authorized representative is listed above, he or she must complete the following declaration.

I declare that I have agreed to represent the executor(s) for the above estate, that I am authorized to receive tax information regarding the estate, and I am (check all that apply):

☐ an attorney ☐ a certified public accountant ☐ an enrolled agent
☐ a public accountant enrolled with the NYS Education Department

Signature of attorney or authorized representative _____ Date _____

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Furthermore, I/we, as executor(s) for this estate, authorize the person, if any, named as my/our representative on this return to receive confidential tax information regarding this estate.

| | | | |
|--------------------------------------------|------|-------------------------------------------|-------|
| Signature of executor | Date | Signature of co-executor | Date |
| Print name of preparer other than executor | | Signature of preparer other than executor | |
| Address of preparer | | City | State |
| | | ZIP code | |

Schedule 1 — Resident

List below each item of real and tangible personal property **located outside NYS** that is included in the federal gross estate. Include the item number, the schedule of federal Form 706 on which it was reported, and the reported value of the property.

| Item number | Description | Value |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| 12 | Total value of property listed above | 12. |
| 13 | Property subject to a limited power of appointment created before September 1, 1930, includable in the NYS gross estate under NYS Tax Law section 957, if any (<i>see instructions</i>) | 13. |
| 14 | Subtract line 13 from line 12; enter the result here and on line 3 on the front page of this form | 14. |

Schedule 2 — Nonresident

15 Total gross estate for NYS (*from page 3, Schedule A, line 22, or page 4, Schedule B, line 39*)

15.

List below each item of real and tangible personal property **located in NYS**. Include the item number, the schedule of federal Form 706 or 706-NA on which it was reported, and the reported value of the property.

| Item number | Description | Value |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| 16 | Total value of property listed above | 16. |
| 17 | Property subject to a limited power of appointment created before September 1, 1930, includable in the NYS gross estate under NYS Tax Law section 957, if any (<i>see instructions</i>) | 17. |
| 18 | Add lines 16 and 17 | 18. |
| 19 | Subtract line 18 from line 15; enter the result here and on line 3 on the front page of this form | 19. |

Schedule 3 — Description of litigation or cause of action

In the area provided below, describe any litigation in which the decedent was a plaintiff, or litigation that is pending or contemplated on behalf of the decedent. Include the actual or estimated values of such litigation (*see Form ET-706-I, Litigation information*).

This return **must be filed within nine months** after the date of death unless an extension of time to file the return has been granted.

Mail your return and payment (if any) to: **NYS ESTATE TAX, PROCESSING CENTER, PO BOX 5556, NEW YORK NY 10087-5556**

If you use a private delivery service, you must mail the return and payment to a different address listed in Publication 55 (*see Private Delivery Services in the instructions*)

Reminders: Sign the front page of this return. If there is an amount due on line 10, make check payable to the **Commissioner of Taxation and Finance**. Attach a completed copy of the federal estate tax return along with any accompanying schedules and supplementary information.

Before completing Schedule A or B, see *Schedule A or B* on page 4 of Form ET-706-I.

Schedule A — Computation of federal estate tax for NYS and maximum NYS credit for state death taxes

Note: References to lines on federal Form 706 are to the August 2005 version of that form, except as noted in Form ET-706-I.

| | | | | |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--|--|
| 20 | Amount from federal Form 706, page 3, Part 5, line 10..... | 20. | | |
| 21 | If the estate elected the qualified conservation easement exclusion on the federal estate tax return, and the exclusion qualifies for NYS estate tax purposes, enter the amount from federal Form 706, page 3, Part 5, line 11 | 21. | | |
| 22 | Total gross estate, less exclusion, for NYS (subtract line 21 from line 20; also enter this amount on line 4 on the front page of this form) | 22. | | |
| 23 | Total allowable federal deductions (from federal Form 706, page 1, Part 2, line 2) | 23. | | |
| 24 | Family-owned business interest deduction elected for NYS - for dates of death after 2003 only (see instr.) ... | 24. | | |
| 25 | Total allowable deductions for NYS (add lines 23 and 24) | 25. | | |
| 26 | Taxable estate for NYS (subtract line 25 from line 22; enter here and on item b on the front page of this form) | 26. | | |
| 27 | Adjusted taxable gifts (from federal Form 706, page 1, Part 2, line 4) | 27. | | |
| 28 | Add lines 26 and 27 | 28. | | |
| 29 | Tentative tax on amount on line 28 (from Table A on page 4 of this form) | 29. | | |
| 30 | Total federal gift tax payable (from line 5 of Line 30 worksheet below) | 30. | | |
| 31 | Gross federal estate tax for NYS (subtract line 30 from line 29; enter here and on item c on the front page of this form) | 31. | | |
| 32 | Maximum NYS unified credit (see instructions; do not enter more than \$345,800) | 32. | | |
| 33 | Adjustment to unified credit (from federal Form 706, page 1, Part 2, line 10), if any | 33. | | |
| 34 | Allowable NYS unified credit (subtract line 33 from line 32) | 34. | | |
| 35 | Subtract line 34 from line 31 (if zero or less, enter 0) | 35. | | |
| 36 | Amount of maximum NYS credit for state death taxes from Table B on page 4 of this form (if more than the amount on line 35, enter the line 35 amount here and on line 1 on the front page of this form) | 36. | | |

Line 30 worksheet — federal gift tax on gifts made after 1976 — for dates of death after 2001

For dates of death after 2001, the maximum federal estate tax rates are reduced. Since the prior rate schedule (Table A on page 4) is used to calculate the NYS estate tax, the recalculation of the amount on federal Form 706 (8/05), page 1, Part 2, line 7, may result in a larger amount reportable on line 30 of Schedule A. A larger amount on line 30 results in a lower gross tax on line 31 and possibly a lower NYS estate tax overall.

If the date of death was before 2002, do not complete this worksheet. Instead, enter on line 30 of Schedule A the amount from federal Form 706, page 1, Part 2, line 9.

Columns b and c — In addition to gifts reported on federal Form 709, *United States Gift (and Generation-Skipping Transfer) Tax Return*, you must include in these columns any taxable gifts in excess of the annual exclusion that were not reported on federal Form 709.

Column d — Tax payable as used here may not necessarily reflect tax actually paid. Figure tax payable only on gifts made after 1976. Do not include any tax paid or payable on gifts made before 1977. Pre-1977 gifts are listed only to exclude them from the calculation.

To figure the tax payable, enter the amount for the appropriate year from column c of the worksheet on federal Form 709, page 1, Part 2, line 1. Enter the amount from column b on federal Form 709, page 1, Part 2, line 2. Using Table A, *Unified rate schedule*, on page 4, complete federal Form 709, page 1, Part 2, through line 6 and enter that amount in column d below for each year.

Column e — To figure the unused unified credit (applicable credit amount), use the unified credit (applicable credit amount) in effect for the year the gift was made. This amount should be on the federal Form 709, page 1, Part 2, line 12, that was filed for the gift.

Note: For columns a, b, and c, and lines 2 and 4, enter amounts from federal *Instructions for Form 706 (8/05)*, page 5, Line 7 Worksheet.

| a | b | c | d | e | f |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Calendar year or calendar quarter | Total taxable gifts for prior periods (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column b) | Taxable gifts for this period (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column c) | Tax payable using Table A (see page 4 of this form) | Unused unified credit (applicable credit amount for this period) (see instructions above) | Tax payable for this period (subtract column e from column d) |
| Total pre-1977 taxable gifts (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column b) | | | | | |
| | | | | | |
| 1 Total gift taxes payable on gifts made after 1976 (combine the amounts in column f) | | | | | 1. |
| 2 Gift taxes paid by the decedent on gifts that qualify for special treatment (from federal Instructions for Form 706 (8/05), page 5, line 2, Line 7 Worksheet) | | | | | 2. |
| 3 Subtract line 2 from line 1 | | | | | 3. |
| 4 Gift tax paid by decedent's spouse on split gifts included on federal Form 706, Schedule G (from federal Instructions for Form 706 (8/05), page 5, line 4, Line 7 Worksheet) | | | | | 4. |
| 5 Add lines 3 and 4 (enter here and on Schedule A, line 30, above) | | | | | 5. |

Schedule B — Computation of federal estate tax for NYS and maximum NYS credit for state death taxes**Note:** References to lines on federal Form 706-NA are to the September 2005 version.

| | | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--|--|
| 37 | Amount from federal Form 706-NA, page 2, Schedule B, line 1 | 37. | | |
| 38 | If the estate elected the qualified conservation easement exclusion on the federal estate tax return, Form 706-NA, and the exclusion does not qualify for NYS estate tax purposes, enter the amount from federal Form 706, page 38, <i>Schedule U</i> , line 20 | 38. | | |
| 39 | Total gross estate, less exclusion, for NYS (add amounts on lines 37 and 38; enter here and on line 4 on the front page of this form) | 39. | | |
| 40 | Total federal deductions (from federal Form 706-NA, page 2, Schedule B, line 8) | 40. | | |
| 41 | State death tax deduction (from Federal Form 706-NA, page 2, Schedule B, line 7), if any | 41. | | |
| 42 | Total deduction for NYS (subtract line 41 from line 40) | 42. | | |
| 43 | Taxable estate for NYS (subtract line 42 from line 39; enter here and on item b on the front page of this form) | 43. | | |
| 44 | Total taxable gifts (from federal Form 706-NA, page 1, Part II, line 2) | 44. | | |
| 45 | Add lines 43 and 44 | 45. | | |
| 46 | Tax on amount on line 45 (from Table A below) | 46. | | |
| 47 | Tax on amount on line 44 (from Table A below) | 47. | | |
| 48 | Gross federal estate tax for NYS (subtract line 47 from line 46; enter here and on item c on the front page of this form) | 48. | | |
| 49 | Allowable NYS unified credit (see instructions) | 49. | | |
| 50 | Subtract line 49 from line 48 (if zero or less, enter 0) | 50. | | |
| 51 | Amount of maximum NYS credit for state death taxes from Table B below (if more than the amount on line 50, enter the line 50 amount here and on line 1 on the front page of this form) | 51. | | |

Table A — Unified rate schedule

If the taxable amount is:

| over | but not over | tax is |
|------------|--------------|----------------------------------------------|
| \$ 0 | \$ 10,000 | |
| 10,000 | 20,000 | \$ 1,800 plus 20% of amount over 10,000 |
| 20,000 | 40,000 | 3,800 plus 22% of amount over 20,000 |
| 40,000 | 60,000 | 8,200 plus 24% of amount over 40,000 |
| 60,000 | 80,000 | 13,000 plus 26% of amount over 60,000 |
| 80,000 | 100,000 | 18,200 plus 28% of amount over 80,000 |
| 100,000 | 150,000 | 23,800 plus 30% of amount over 100,000 |
| 150,000 | 250,000 | 38,800 plus 32% of amount over 150,000 |
| 250,000 | 500,000 | 70,800 plus 34% of amount over 250,000 |
| 500,000 | 750,000 | 155,800 plus 37% of amount over 500,000 |
| 750,000 | 1,000,000 | 248,300 plus 39% of amount over 750,000 |
| 1,000,000 | 1,250,000 | 345,800 plus 41% of amount over 1,000,000 |
| 1,250,000 | 1,500,000 | 448,300 plus 43% of amount over 1,250,000 |
| 1,500,000 | 2,000,000 | 555,800 plus 45% of amount over 1,500,000 |
| 2,000,000 | 2,500,000 | 780,800 plus 49% of amount over 2,000,000 |
| 2,500,000 | 3,000,000 | 1,025,800 plus 53% of amount over 2,500,000 |
| 3,000,000 | 10,000,000 | 1,290,800 plus 55% of amount over 3,000,000 |
| 10,000,000 | 17,184,000 | 5,140,800 plus 60% of amount over 10,000,000 |
| 17,184,000 | ----- | 9,451,200 plus 55% of amount over 17,184,000 |

Table B worksheet**Adjusted taxable estate for NYS**

1. Taxable estate for New York State (from Schedule A, line 26, or Schedule B, line 43) 1. \$
2. Adjustment 2. 60,000
3. Adjusted taxable estate for New York State (subtract line 2 from line 1) 3. _____

Use this amount to compute maximum credit for state death taxes in Table B below.

Table B — Computation of maximum NYS credit for state death taxes

(based on federal adjusted taxable estate for NYS computed using the Table B worksheet above)

If the amount from Table B worksheet, line 3 is:

| over | but not over | credit is |
|------------|--------------|------------------------------------------------|
| \$ 40,000 | \$ 90,000 | |
| 90,000 | 140,000 | \$ 400 plus 0.8% of amount over 90,000 |
| 140,000 | 240,000 | 1,200 plus 1.6% of amount over 140,000 |
| 240,000 | 440,000 | 3,600 plus 2.4% of amount over 240,000 |
| 440,000 | 640,000 | 10,000 plus 3.2% of amount over 440,000 |
| 640,000 | 840,000 | 18,000 plus 4.0% of amount over 640,000 |
| 840,000 | 1,040,000 | 27,600 plus 4.8% of amount over 840,000 |
| 1,040,000 | 1,540,000 | 38,800 plus 5.6% of amount over 1,040,000 |
| 1,540,000 | 2,040,000 | 70,800 plus 6.4% of amount over 1,540,000 |
| 2,040,000 | 2,540,000 | 106,800 plus 7.2% of amount over 2,040,000 |
| 2,540,000 | 3,040,000 | 146,800 plus 8.0% of amount over 2,540,000 |
| 3,040,000 | 3,540,000 | 190,800 plus 8.8% of amount over 3,040,000 |
| 3,540,000 | 4,040,000 | 238,800 plus 9.6% of amount over 3,540,000 |
| 4,040,000 | 5,040,000 | 290,800 plus 10.4% of amount over 4,040,000 |
| 5,040,000 | 6,040,000 | 402,800 plus 11.2% of amount over 5,040,000 |
| 6,040,000 | 7,040,000 | 522,800 plus 12.0% of amount over 6,040,000 |
| 7,040,000 | 8,040,000 | 650,800 plus 12.8% of amount over 7,040,000 |
| 8,040,000 | 9,040,000 | 786,800 plus 13.6% of amount over 8,040,000 |
| 9,040,000 | 10,040,000 | 930,800 plus 14.4% of amount over 9,040,000 |
| 10,040,000 | ----- | 1,082,800 plus 15.2% of amount over 10,040,000 |
| | | plus 16.0% of amount over 10,040,000 |



Stipulation Reserving Domicile

(Attach a copy of the death certificate)

Surrogate's Court of the State of New York

County of _____

In the matter of the application for

- ☐ Ancillary Letters Testamentary
- ☐ Ancillary Letters of Administration
- ☐ Letters Testamentary (original probate for a nonresident)
- ☐ Letters of Administration (original administration for a nonresident)

of the Estate of _____ (deceased)

Date of death _____
(month/day/year)

Social security number _____

An application having been made to the Surrogate on behalf of the estate of decedent for **(Ancillary)** Letters Testamentary (or of Administration) in the above-entitled proceeding, and the Commissioner of Taxation and Finance not having had an opportunity to investigate the alleged nonresident status of the decedent, and the representatives of the estate having requested the Commissioner, nevertheless, to issue a Waiver of Citation in order to facilitate the granting of such application:

It is hereby stipulated and agreed by and between the undersigned:

(1) that the representatives of said estate will timely file a New York State Estate Tax Return, or such other required document, to determine the New York State estate tax (if any) for which said estate may be liable, and will pay the amount thereof as finally determined; that the issuance of **(Ancillary)** Letters Testamentary (or of Administration) so applied for shall not be an estoppel against the Commissioner of Taxation and Finance on the question of the domicile of the decedent;

(2) that the Commissioner of Taxation and Finance will issue a Waiver of Citation in the above-entitled proceeding in reliance upon the agreement set forth in paragraph (1) hereof; and

(3) that the attorneys for the petitioner shall serve upon the attorney for the Commissioner of Taxation and Finance a copy of the decree herein with Notice of Entry.

Estate

Commissioner of Taxation and Finance

Signature of petitioner's attorney (must be admitted to practice in New York State)

Date (month/day/year) ()
Telephone number

Print name of petitioner's attorney

Firm's name

Mailing address (number and street or rural route)

City State ZIP code

by:

Signature of attorney for Commissioner of Taxation and Finance

Date (month/day/year)

at: (city) New York

**New York State Estate Tax Return / Schedules A-D**
for estates not required to file federal Form 706

| | |
|-----------|------------------------|
| Estate of | Social security number |
|-----------|------------------------|

Schedule A – Real estate (report jointly owned property on Schedule E of Form ET-90.2; attach additional sheets if necessary)

| A Item number | B Description | C Assessed value | D Alternate valuation date | E Alternate value | F Value at date of death |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | | |
| Total from additional sheet(s) attached to this schedule | | | | | |
| 1 | Total columns E and F – If alternate valuation was elected, enter the total of column E on Form ET-90, page 2, line 23; otherwise, enter the total of column F | | | 1 | |

Schedule B – Stocks and bonds (report jointly owned property on Schedule E of Form ET-90.2; attach additional sheets if necessary)

| A Item number | B Description | C Unit value | D Alternate valuation date | E Alternate value | F Value at date of death |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | | |
| Total from additional sheet(s) attached to this schedule | | | | | |
| 2 | Total columns E and F – If alternate valuation was elected, enter the total of column E on Form ET-90, page 2, line 24; otherwise, enter the total of column F | | | 2 | |

Attach additional sheets if necessary**Schedule C – Mortgages, notes, cash, and bank deposits** (report jointly owned property on Schedule E of Form ET-90.2)

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|---------------------|------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |

Total from additional sheet(s) attached to this schedule

3 Total columns D and E – If alternate valuation was elected, enter the total of column D on
Form ET-90, page 2, line 25; otherwise, enter the total of column E

3

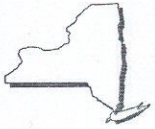
Schedule D – Insurance on the decedent's life

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|---------------------|------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |

Total from additional sheet(s) attached to this schedule

4 Total columns D and E – If alternate valuation was elected, enter the total of column D on
Form ET-90, page 2, line 26; otherwise, enter the total of column E

4

**New York State Estate Tax Return / Schedules E – G**
for estates not required to file federal Form 706

Estate of _____

Social security number _____

Schedule E – Jointly owned property (attach additional sheets if necessary)

Part I – Qualified joint interests (interests held by the decedent and decedent's spouse as the only joint tenants) – **Note:** If the surviving spouse is not a citizen of the United States, the interest is not a qualified joint interest and must be reported in Part II below, even when the election provided in section 955(e)(2) of the Tax Law is made.

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |
| Total from additional sheet(s) attached to this schedule (Qualified joint interests) | | | | |
| 1 | Total columns D and E (Qualified joint interests) | | | 1 |
| 2 | Amounts included in gross estate (one-half of line 1 total) | | | 2 |

Part II – All other joint interests

| A Item number | B Description | C Name of joint tenant and relationship to decedent | D Alternate valuation date | E Alternate value | F Value at date of death |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-----------------------------------------------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | | |
| Total from additional sheet(s) attached to this schedule (All other joint interests) | | | | | |
| 3 | Total columns E and F (All other joint interests) | | | 3 | |
| Part III – Summary Add Part I, line 2 and Part II, line 3. If alternate valuation was elected, enter the total of the Alternate value column on Form ET-90, page 2, line 27; otherwise, enter the total of the Value at date of death column | | | | | |
| 4 | | | | 4 | |

Attach additional sheets if necessary

Schedule F – Other miscellaneous property not reportable under any other schedule

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|---------------------|------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |

Total from additional sheet(s) attached to this schedule

5 Total columns D and E –If alternate valuation was elected, enter the total of column D on
Form ET-90, page 2, line 28; otherwise, enter the total of column E

5

Schedule G – Transfers during decedent's life

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | New York gift tax paid (<i>under Article 26A</i>) by the decedent or decedent's estate for all gifts made by the decedent or decedent's spouse within three years before the decedent's death (<i>section 954(c) - see instructions</i>) | | | |
| 2 | Transfers made by decedent (<i>under section 1009 of Article 26A</i>) in accordance with provisions of IRC sections 2035(a), 2036, 2037 or 2038 | | | |

Total from additional sheet(s) attached to this schedule

6 Total columns D and E –If alternate valuation was elected, enter the total of column D on
Form ET-90, page 2, line 29; otherwise, enter the total of column E

6

**New York State Estate Tax Return / Schedules H-L**
for estates not required to file federal Form 706

| | |
|-----------|------------------------|
| Estate of | Social security number |
|-----------|------------------------|

Schedule H – Powers of appointment (attach additional sheets if necessary)

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |
| Total from additional sheet(s) attached to this schedule | | | | |
| 1 Total columns D and E – If alternate valuation was elected, enter the total of column D on Form ET-90, page 2, line 30; otherwise, enter the total of column E | | | 1 | |

Schedule I – Annuities (attach additional sheets if necessary)

| A Item number | B Description | C Alternate valuation date | D Alternate value | E Value at date of death |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------|-------------------------|--------------------------------|
| 1 | | | | |
| Total from additional sheet(s) attached to this schedule | | | | |
| 2 Total columns D and E – If alternate valuation was elected, enter the total of column D on Form ET-90, page 2, line 31; otherwise, enter the total of column E | | | 2 | |

Schedule J – Funeral expenses and expenses incurred in administering property subject to claims

(attach additional sheets if necessary)

| A Item number | B Description | C Amount claimed as a deduction |
|----------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------|
| 1 | Funeral expenses — Identify: | |
| | Total funeral expenses | |
| 2 | Administration expenses — Identify: | |
| | Total administration expenses | |
| 3 | Executor's commissions — Identify: | |
| | Total executor's commissions | |
| 4 | Attorney fees — Identify: | |
| | Total attorney fees | |
| 5 | Accountant fees — Identify: | |
| | Total accountant fees | |
| 6 | Miscellaneous fees — Identify: | |
| | Total miscellaneous fees | |
| Total from additional sheet(s) attached to this schedule | | |
| 3 Total amounts claimed as a deduction (enter here and on Form ET-90, page 2, line 38) | | 3 |

Schedule K – Debts of decedent, including mortgages and liens (attach additional sheets if necessary)

| A Item number | B Debts of decedent | C Amount claimed as a deduction |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 1 | List creditor and nature of claim | |
| Total from additional sheet(s) attached to this schedule | | |
| 4 | Total amounts claimed as a deduction | 4 |
| 1 | List mortgages or liens (describe) | |
| Total from additional sheet(s) attached to this schedule | | |
| 5 | Total amounts claimed as a deduction | 5 |
| 6 | Total amount of debts claimed as a deduction (add lines 4 and 5; enter here and on Form ET-90, page 2, line 39) | 6 |

Schedule L – Net losses during administration and expenses incurred in administering property not subject to claims (attach supplemental schedules; attach additional sheets if necessary)

| A Item number | B Description | C Amount |
|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------|
| 1 | List net losses during administration | |
| Total from supplemental schedules or additional sheet(s) attached to this schedule | | |
| 7 | Total net losses during administration | 7 |
| 1 | List expenses incurred in administering property not subject to claims | |
| Total from supplemental schedules or additional sheet(s) attached to this schedule | | |
| 8 | Total expenses incurred in administering property not subject to claims | 8 |
| 9 | Total (add lines 7 and 8; enter here and on Form ET-90, page 2, line 40) | 9 |

**New York State Estate Tax Return / Schedules M-N**
for estates not required to file federal Form 706

Estate of

Social security number

Schedule M – Bequests, etc., to surviving spouse (attach continuation schedules or additional sheets if necessary)

Terminable interest (QTIP) marital deduction – If you elect the marital deduction for qualified terminable interest property (QTIP) under section 955(c) of the Tax Law, check the box on Form ET-90, page 3, line 53, and enter on *Part II* below the trust property for which you are claiming the marital deduction.

Marital deduction for noncitizen spouse – If you elect the marital deduction for the surviving spouse who is not a citizen of the United States, sign in the area provided on Form ET-90, page 2, line 52, and enter the property in the appropriate part or parts below.

Did any property pass to the surviving spouse as a result of a qualified disclaimer? (If Yes, attach a copy of the written disclaimer required by IRC section 2518(b).) ☐ Yes ☐ No

Election out of QTIP treatment of annuities – Do you elect under section 955(c) of the New York Tax Law (as specified in section 2056(b)(7)(c)(ii) of the IRC) to **not** treat as qualified terminable interest property any joint and survivor annuities that would otherwise be treated as qualified terminable interest property under section 2056(b)(7)? ☐ Yes ☐ No
If you do not elect out of QTIP treatment of the annuities or elect QTIP for some or all of the annuities, enter on *Part II* below the annuities for which you do claim QTIP.

Part I – Property interests that are not subject to a QTIP election

| A Item number | B Description of property interests passing to surviving spouse | C Value |
|---------------------|--------------------------------------------------------------------|------------|
| 1 | | |

Total from continuation schedule(s) or additional sheet(s) attached to this schedule

1 Total value of property interests not subject to a QTIP election 1

Part II – Property interests that are subject to a QTIP election

| A Item number | B Description of property interests passing to surviving spouse (describe portion of trust for which allocations have been made) | C Value |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1 | | |

Total from continuation schedule(s) or additional sheet(s) attached to this schedule

2 Total value of property interests subject to a QTIP election 2

Part III – Reconciliation

| | | | |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|
| 3 | Total interests passing to surviving spouse (add lines 1 and 2 above) | 3 | |
| 4 | New York State estate taxes payable out of property interests listed in Parts I and II above | 4 | |
| 5 | Other states' death taxes and generation-skipping taxes, and federal section 4980A taxes payable out of property interests listed on Part I and II above | 5 | |
| 6 | Expenses payable out of property interests listed on Parts I and II above | 6 | |
| 7 | Value of property passing to surviving spouse that is reported on Form ET-419, and included on line 33c of Form ET-90 | 7 | |
| 8 | Add lines 4, 5, 6, and 7 | 8 | |
| 9 | Net value of property interests listed on Schedule M (subtract line 8 from line 3; enter here and on Form ET-90, page 2, line 44) | 9 | |

Attach additional sheets if necessary

Schedule N – Charitable, public, and similar gifts and bequests (attach additional sheets if necessary)

| A Item number | B Name and address of organizations | C Paragraph of will | D Amount |
|---------------------|----------------------------------------|---------------------------|-------------|
| 1 | | | |

| | | | |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
| Total from additional sheet(s) attached to this schedule..... | | | 10 |
| 10 | Total column D | | |
| 11 | New York State estate taxes payable out of property interests listed above | 11 | |
| 12 | Other states' death taxes and generation-skipping taxes, and federal section 4980A taxes payable out of property interests listed above | 12 | |
| 13 | Expenses payable out of property interests listed above | 13 | |
| 14 | Value of property passing to a qualified charitable organization that is reported on Form ET-419, and included on line 33c of Form ET-90 | 14 | |
| 15 | Add lines 11, 12, 13, and 14 | 15 | |
| 16 | Net value of property interests listed above (subtract line 15 from line 10; enter here and on Form ET-90, page 2, line 47) ... | 16 | |

You may use the space below to show us how you calculated the estate tax due.



Application for Release of Safe Deposit Box

For estates of decedents dying before February 1, 2000

Decedent information

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------------|------------------------|----------------------------------------|
| Decedent's last name | First | Middle Initial | Social security number | |
| Address of decedent at time of death (number and street) | | | Date of death | Attach a copy of the death certificate |
| City, village or post office | State | ZIP code | County of residence | |
| On the date of death, decedent was a: <input type="checkbox"/> Resident of New York State <input type="checkbox"/> Nonresident of New York State | | | | |

Applicant information

| | | |
|-------------------------------------------------|--------------------------|----------|
| Name of applicant (last, first, middle initial) | Relationship to decedent | |
| Address of applicant | | |
| City, village or post office | State | ZIP code |
| Social security number of applicant | Telephone number () | |

Bank information

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Name and address of bank where safe deposit box is located | Safe deposit box number(s) |
| If the box was held jointly in the name of the decedent and another, or a deputy was named, check the appropriate box and enter the name of the other joint tenant or the deputy. <input type="checkbox"/> Joint tenant <input type="checkbox"/> Deputy Name | |

Sign below

| | |
|------------------------|------|
| Signature of applicant | Date |
|------------------------|------|

Instructions

Note: Estates of individuals dying on or after February 1, 2000, are not required to obtain a release of the safe deposit box from the Tax Department.

This form may be filed by an executor, administrator, joint tenant, deputy, the attorney for the estate, the decedent's next of kin, or any person having an interest in the estate who has knowledge of the decedent's assets.

Since other laws may apply to the release of safe deposit boxes, check with your bank or safe deposit company for any additional requirements.

The term executor includes executor, executrix, administrator, administratrix, or personal representative of the decedent's estate. If no executor, executrix, administrator, administratrix, or personal representative is appointed, qualified, and acting within the United States, any person acting in the capacity of executor (by virtue of the fact that that person is in actual or constructive possession of any property of the decedent) may apply for the release of the safe deposit box.

Mail the completed application form to:

**NYS TAX DEPARTMENT
TTTB - ESTATE TAX AUDIT - 855
W A HARRIMAN CAMPUS
ALBANY NY 12227**

Privacy notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.



Claim for Credit or Refund of New York State Estate Tax

| | | | | | | | | |
|---------------|------------------------------|--|-------------------------------|----------------|-------------------------------------------------------------------------------------------------|--|-----------------------------------|--|
| Print or type | Decedent's last name | | First name and middle initial | | Date of death | | Decedent's social security number | |
| | Executor's last name | | First | Middle Initial | Multiple executors Yes <input type="checkbox"/> No <input type="checkbox"/> | | Executor's social security number | |
| | Address (number and street) | | | | For office use only Date received _____ Date closed _____ Signature _____ | | | |
| | City, village or post office | | | | | | | |
| | State | | ZIP code | | | | | |
| | Telephone number () | | | | | | | |

Instructions are on the back.

- 1 Total tax paid _____ Amount of credit or refund claim _____
- 2 Type of claim: ☐ Protective claim ☐ Protest of paid bill **Assessment number** | | | | | | | | | | | | | | | |
- 3 Was the estate required to file a federal estate tax return? ☐ Yes ☐ No
- If Yes: **A** Does this claim reflect a reduction of the federal taxable estate? ☐ Yes ☐ No
- B** Was a federal amended return or claim for refund filed? ☐ Yes ☐ No
- If you check Yes, attach a copy and enter the date filed _____.
- 4 Reasons for claim (give a full explanation, including all facts and figures on which your claim is based):
Print or type and attach additional sheets if necessary.

Certification. I certify that this claim and any attachments are to the best of my knowledge and belief true, correct and complete.

| | | | | | | | |
|--------------------------------|------------------------------------------|--|-----------------------------------|-------------------------------------------------|--------------|----------------------|--|
| Paid Preparer's Use Only | Preparer's signature | | Date | Check if self-employed <input type="checkbox"/> | Sign Here | Executor's signature | |
| | Firm's name (or yours, if self-employed) | | Preparer's social security number | | | Date | |
| | Address | | Employer identification number | | | | |

Instructions

Use this form to claim a credit or refund of New York State estate tax **only** for the following types of claims:

- protective claim;
- protest of a paid bill that was based on a *Statement of Audit Changes* or *Notice and Demand for Payment of Estate Tax*. If you are responding to a *Notice and Demand for Payment of Estate Tax*, enter your 11-digit assessment number in the space provided on line 2.

File all other claims on Form ET-90, *New York State Estate Tax Return*, and write **Amended** at the top of the return.

Claims must include an explanation of each item of deduction or credit claimed and the signature of the executor.

Executor

The term *executor* includes executrix, administrator, administratrix, or personal representative of the decedent's estate. If no such person is appointed, qualified, and acting within the United States, *executor* means any person in actual or constructive possession of any property of the decedent.

Power of Attorney

An individual acting for the executor must attach a power of attorney to this form if a power of attorney was not previously submitted.

Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Data Management Services Bureau, NYS Tax Department, Building 8 Room 905, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829; from areas outside the U.S. and Canada, call (518) 485-6800.

Sign this claim and mail to:

NYS TAX DEPARTMENT
ESTATE TAX AUDIT - BUILDING 8
W A HARRIMAN CAMPUS
ALBANY NY 12227

Need Help?

For information, call toll free 1 800 225-5829. **For forms or publications**, call toll free 1 800 462-8100. Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday.

From areas outside the U.S. and Canada, call (518) 485-6800.

Hotline for the Hearing and Speech Impaired - If you have a hearing or speech impairment and have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Hours of operation are from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.

Estate Tax Waiver Notice

ET-99

(2/05)

Name of bank, corporation, association, governmental entity, brokerage firm (see instructions), insurance, or annuity company holding assets of the decedent

| | | | | | | | | |
|----------------------|--------------|----------------------|-----------|--------------------------------------------|------------------------|-------------------------------------------------|---------------|--|
| Decedent's last name | | First | | Middle initial | Social security number | | Date of death | |
| Bonds | | Stock | | Description of asset and account number(s) | Amount | Name of or payable to <i>(see instructions)</i> | | |
| Quantity | Denomination | Number of shares of: | | | | | | |
| | | Common | Preferred | | | | | |

As authorized by the Tax Law, the Commissioner of Taxation and Finance hereby waives notice of the time and place of delivery or transfer by you or your transfer agent of the property described above and consents to the transfer without retention by you or your transfer agent of any tax and interest that may be assessed against this estate pursuant to the Tax Law.

Not valid until stamped

Instructions

Note: Estate tax waivers are not required for property of the estate of an individual whose date of death is on or after February 1, 2000.

You must complete all applicable areas. If an entire investment portfolio account is to be transferred, enter the name of the brokerage firm and the decedent information in the areas provided above. Attach to this form a copy of the portfolio showing the itemized assets on the date of death.

If your broker requires Tax Department validation on the listing sheet that identifies the securities in the portfolio, you must request that validation when you submit the waiver notice. The department will return your validated listing sheet with the waiver notice.

Bonds — Enter the quantity and denomination of bonds.

Stock — Enter the number of shares of common and/or preferred stock.

Description — Enter the bank account number, stock or bond description, brokerage account number (when an entire portfolio account is to be transferred), or kind of policy or annuity.

Amount — Enter the date-of-death value of the stock or bonds, bank account, brokerage account, life insurance, or annuity.

Name of or payable to — Enter the name(s) on the bank accounts, stock, or bonds. If they are in the name of the decedent only, enter **decedent**; otherwise, enter the name of the beneficiary or annuitant. If the beneficiary or annuitant is the estate, enter **estate of decedent**.

If you are requesting a waiver for the estate of an individual whose date of death was before May 26, 1990, submit this form and attachments in duplicate.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

Need help?



Internet access: www.nysfax.gov

(for information, forms, and publications)



Fax-on-demand forms: Forms are available

24 hours a day, 7 days a week.

1 800 748-3676



Telephone assistance is available from 8:00 A.M. to 5:00 P.M. (eastern time), Monday through Friday.

To order forms and publications:

1 800 462-8100

For estate tax information:

1 800 641-0004

From areas outside the U.S. and outside Canada:

(518) 485-6800




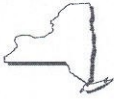
Hotline for the hearing and speech impaired: If you have

access to a telecommunications device for the deaf (TDD), contact us at 1 800 634-2110. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.



Persons with disabilities: In compliance with the

 Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 641-0004.

**Release of Lien of Estate Tax**

Real property or cooperative apartment

ET-117
(2/05)

A completed Form ET-117 must be mailed with one of the following forms to the address shown on *that* form: Form ET-706, Form ET-90, Form ET-85, Form ET-30, Form TT-385, or Form TT-102. There is no fee for a release of lien.

| |
|-----------------------|
| Name |
| Address |
| City, state, ZIP code |

Type or print the name and mailing address of the person to whom this form should be returned.

| | |
|---------------|---------------------------------------|
| Estate of | |
| Date of death | County of residence at time of death* |

* If the decedent was not a resident of New York State at the time of death, enter *nonresident*.

Complete this section for real property. You may list up to two parcels in the same county; use a separate Form ET-117 for each county. File the validated release of lien with the county clerk or commissioner of deeds.

The book of deeds or liber number, page number, and map number are shown on the recorded deed. The section, block, and lot numbers are shown on the property tax bills.

| | | |
|-------------------------------|----------------|-------------------------------|
| Book of deeds or liber number | At page number | Map number |
| Section number | Block number | Lot number |
| Property address | Street or road | City, town, or village County |
| Book of deeds or liber number | At page number | Map number |
| Section number | Block number | Lot number |
| Property address | Street or road | City, town, or village County |

Complete this section for cooperative apartments. If you entered real property above, do not complete this section; use a separate Form ET-117.

Also, you must use a separate Form ET-117 for each cooperative corporation and purchaser. Give the validated release of lien to the purchaser.

| | | | |
|----------------------------------------------------------------------------------|---------------------|----------------|----------|
| Name of cooperative corporation | | | |
| Address of cooperative apartment | Apartment number(s) | Street or road | |
| City, town, or village | State | County | ZIP code |
| Number of shares associated with proprietary lease for apartment(s) listed above | | | |

Pursuant to the provisions of section 249-bb or section 982(c) of the Tax Law, the lien (if any) of the estate tax imposed by Article 10-C or Article 26 of the Tax Law is hereby released with respect to the property described above.

| | |
|------|---------------------|
| Date | Deputy commissioner |
|------|---------------------|

This release is not valid unless the state seal is affixed by the Tax Department to the right of the property description. Each completed description requires a separate seal.



New York State Estate Tax Domicile Affidavit

For estates of decedents dying after May 25, 1990

ET-141
(1/99)

Complete Form ET-141 if it is claimed that the decedent was not domiciled in New York State at the time of death.

The fiduciary (executor or administrator), the surviving spouse or a member of the decedent's immediate family who can provide all the information requested below should complete this affidavit.

Answer all questions completely. Attach this form to Form ET-90 or Form ET-85.

| | | | | | |
|----------------------------------------------------------|---------------|----------------|----------------|------------------------|----------------------|
| Decedent's last name | | First | Middle initial | Social security number | |
| Address of decedent at time of death (number and street) | | | | Date of death | |
| City, village or post office | | County | State | ZIP code | Country of residence |
| Age at death | Date of birth | Place of birth | | | |

1 If born outside the United States, was the decedent a naturalized citizen of the United States?

If Yes, enter (below) the name and address of the court where the decedent was naturalized. ☐ Yes ☐ No

Name and address of court where naturalized

2 Did decedent **ever** live in New York State? ☐ Yes ☐ No If Yes, list periods.

3 Did decedent **ever** own, individually or jointly, any interest in real estate located in New York State? ☐ Yes ☐ No If Yes, list addresses and periods below (attach additional sheets if necessary).

| | |
|---------------------------|-----------------------|
| Periods of time - from/to | Addresses of property |
|---------------------------|-----------------------|

4 Did decedent lease a safe deposit box located in New York State at the time of death? ☐ Yes ☐ No

If Yes, complete box below. Also, if Yes, has it been inventoried? ☐ Yes ☐ No If Yes, attach copy of inventory.

Name and address of bank where box is located

5 Provide the following information regarding the residences of the decedent during the last five years preceding death (attach additional sheets if necessary).

| In New York State | | | Outside New York State | | |
|--------------------------|---------|------------------------------------------|--------------------------|---------|------------------------------------------|
| Period of time from - to | Address | Residence owned - rented other - explain | Period of time from - to | Address | Residence owned - rented other - explain |
| | | | | | |
| | | | | | |
| | | | | | |

6 For the five years prior to death, list (1) the Internal Revenue Service Centers and (2) the states or other municipalities where the decedent filed income tax returns if no income tax returns were filed, enter **none**.

| Year | Internal Revenue Service Center | State, county, or municipality |
|------|---------------------------------|--------------------------------|
| | | |
| | | |
| | | |

Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.

7 List the states where the decedent was registered to vote during the last five years preceding death (*list latest year first*).

| Years | | State |
|-------|---------------|-------|
| From | To | |
| | Date of death | |
| | | |
| | | |

If decedent did **not** vote in those five years, when did he or she last vote?

Where?

8 List employment or business activities (if any) engaged in by the decedent during the five years preceding the date of death.

| In New York State | | Outside New York State | |
|--------------------------|---------------------------------------------|--------------------------|---------------------------------------------|
| Period of time from - to | Nature of employment or business activities | Period of time from - to | Nature of employment or business activities |
| | | | |
| | | | |
| | | | |

9 Was decedent a party to any legal proceedings in New York State during the last five years? ☐ Yes ☐ No If Yes, list courts, dates and types of action.
10 Did decedent have a license to operate a business, profession, motor vehicle, airplane or boat? ☐ Yes ☐ No If Yes, list below.

| License number | Type of license | Date of issuance | Name and location of issuing office |
|----------------|-----------------|------------------|-------------------------------------|
| | | | |

11 Did decedent execute any trust indentures, deeds, mortgages or any other documents describing his or her residence during the last five years preceding death? ☐ Yes ☐ No If Yes, attach copy.12 Was the decedent a member of any church, club or organization? ☐ Yes ☐ NoIf Yes give name, address and other details. (*Attach additional sheets if necessary.*)
13 What other information do you wish to submit in support of the contention that the decedent was not domiciled in New York State at the time of death? (*Attach additional sheets if necessary.*)

| | | | |
|--------------------------------------|-------|----------------|--------------------------|
| Applicant's last name | First | Middle initial | Relationship to decedent |
| Address (<i>number and street</i>) | | | Connection with estate |
| City, village or post office | | State | ZIP code |

The undersigned states that this affidavit is made to induce the Commissioner of the Department of Taxation and Finance of the State of New York to determine domicile, and that the answers herein contained to the foregoing questions are each and every one of them true in every particular.

Signature of applicant _____

Notary Public, Commissioner of Deeds or Authorized New York State
Department of Taxation and Finance employee (no seal required)

Sworn before me this _____ day of _____ 19 _____

Signature _____



New York State Department of Taxation and Finance

**Computation of Credit
For Estate Tax on Prior Transfers**

For estates of decedents who died after May 25, 1990

ET-190
(6/97)

To claim credit for transfers from more than one transferor to the transferee (present decedent), complete a copy of the front of this form for *each* transferor.

Attach this completed form to the original or amended Form ET-90.

| | | | | | |
|------------------------------------------|-------|----------------|--------------------------------------|---------------------|----------------------------|
| Decedent's last name | First | Middle initial | Social security number | County of residence | Transferee's date of death |
| Transferor's last name | First | Middle initial | Social security number | County of residence | Transferor's date of death |
| Relationship of transferor to transferee | | | Transferor's New York net estate tax | | Date paid |

Part I —Transferor's Tax on Prior Transfer*(If transferor's date of death was on or before September 30, 1983, use Part I of Form TT-190.)*

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1 Enter the gross value of property received by the transferee which was included in the transferor's New York gross estate (exclude property if subject to marital deduction) <i>(see instructions)</i> | 1 |
| 2 If any death taxes were paid out of the transferee's share of the transferor's New York gross estate, enter the amount | 2 |
| 3 If expenses, mortgages, debts or other obligations of the transferor's estate were paid out of the transferee's share of the transferor's New York gross estate, enter the amount | 3 |
| 4 Total <i>(add lines 2 and 3)</i> | 4 |
| 5 Net value of transfer <i>(subtract line 4 from line 1; if the transferee was the sole beneficiary of the prior estate, omit lines 6 through 11 and enter the New York tax assessed on the prior estate on line 12)</i> | 5 |
| 6 Transferor's New York taxable estate <i>(multiply the amount on line 3 of Form ET-90 by the decimal on line 37 of that form. If the transferor died on or before May 25, 1990, see instructions)</i> | 6 |
| 7 Transferor's federal net estate tax allocated to the New York gross estate | 7 |
| 8 Transferor's New York net estate tax from line 19a of Form ET-90 (or line 19 without the minimum tax). If the transferor died on or before May 25, 1990, see instructions <i>(also enter on line 12 below)</i> | 8 |
| 9 Other death taxes paid on the transfer of property included in the New York gross estate | 9 |
| 10 Total <i>(add lines 7, 8 and 9)</i> | 10 |
| 11 Net value of transferor's New York estate (after taxes) <i>(subtract line 10 from line 6)</i> | 11 |
| 12 New York net estate tax on transferor's estate <i>(from line 8 above)</i> | 12 |
| 13 Credit for New York gift tax paid on gifts made by the transferor before 1983 <i>(see instructions)</i> | 13 |
| 14 Credit allowed in transferor's estate for tax on prior transfers from prior transferor(s) who died within 10 years before the death of decedent | 14 |
| 15 Tax on transferor's estate <i>(add lines 12, 13 and 14)</i> | 15 |
| 16 Transferor's tax on prior transfers <i>(Divide line 5 by line 11 and multiply the result by line 15; if the transferee was the sole beneficiary, enter the amount from line 15. Enter here and on line 46.)</i> | 16 |

Part II — Transferee's Tax on Prior Transfer

| | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------|----|--|
| 17 | Transferee's New York tax before credit for prior transfers (see instructions) | 17 | |
| 18 | Total New York adjusted gross estate of transferee (see instructions) | 18 | |
| 19 | Net value of prior transfers from line 5 (if more than one transferor, see instructions) | 19 | |
| 20 | Transferee's reduced New York adjusted gross estate (subtract line 19 from line 18) | 20 | |
| 21 | New York deductions from Form ET-90, line 43 | 21 | |
| 22 | Marital deduction from Form ET-90, line 46, if any (see instructions) | 22 | |
| 23 | Deduction for principal residence (from Form ET-90, line 50) | 23 | |
| 24 | New York charitable bequests (from Form ET-90, line 49) | 24 | |
| 25 | Charitable deduction $\left(\frac{\text{line 19}}{\text{line 18 minus line 21}} \times \text{line 24} \right)$ proportion | 25 | |
| 26 | Reduced charitable deduction (subtract line 25 from line 24) | 26 | |
| 27 | Transferee's deductions as adjusted (add lines 21, 22, 23 and 26) | 27 | |
| 28 | Transferee's reduced taxable estate (subtract line 27 from line 20) | 28 | |
| 29 | New York adjusted taxable gifts (from Form ET-90, line 4) | 29 | |
| 30 | Total reduced taxable estate (add lines 28 and 29) | 30 | |
| 31 | Preliminary tax on reduced taxable estate (from Table A in ET-90-P) | 31 | |
| 32 | Unified credit (from Table B in ET-90-P) | 32 | |
| 33 | Net preliminary tax (subtract line 32 from line 31) | 33 | |
| 34 | Tax attributable to New York adjusted taxable gifts $\left(\frac{\text{Line 29}}{\text{Line 30}} \times \text{Line 33} \right)$ | 34 | |
| 35 | Tax not attributable to New York adjusted taxable gifts (subtract line 34 from line 33) | 35 | |
| 36 | $\left(\frac{(\text{Line 36a or 36b of Form ET-90}) - \text{Line 19 above} \times \text{Line 35 above}}{\text{Line 20 above}} \right)$ | 36 | |
| 37 | Tentative tax on reduced taxable estate (add lines 34 and 36) | 37 | |
| 38 | Gift tax payable for gifts made after 1982 (from Form ET-90, line 13) | 38 | |
| 39 | Agricultural exemption credit (from Form ET-411) | 39 | |
| 40 | Credit for closely held businesses (from Form ET-416) | 40 | |
| 41 | Credit for gift tax on gifts made before 1983 for estates of transferees who died after June 9, 1994 (from Form ET-412) | 41 | |
| 42 | Total credits (add lines 38 through 41) | 42 | |
| 43 | Net tax on reduced taxable estate (subtract line 42 from line 37) | 43 | |
| 44 | Transferee's tax on prior transfer (subtract line 43 from line 17) | 44 | |

Part III — Credit Allowable (for two transferors, use columns A and B; otherwise, use column A)

| | A | B |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|
| 45 Transferee's tax (for one transferor, enter amount from line 44; otherwise, see instructions) | 45 | |
| 46 Transferor's tax (for one transferor, enter amount from page 1, line 16; otherwise, see instructions) | 46 | |
| 47 Maximum amount before percentage requirement (lesser of line 45 or 46; use columns A and B if applicable) | 47 | |
| 48 Percentage allowable (see instructions) | 48 | % |
| 49 Credit (multiply line 47 by the percentage on line 48) | 49 | |
| 50 Enter the decimal from the transferee's Form ET-90, line 37 | 50 | |
| 51 Multiply line 49 by the decimal on line 50 | 51 | |
| 52 Total New York credit allowable - Add line 51, columns A and B (if there were two transferors); enter here and on the transferee's Form ET-90, line 16 | 52 | |

Use this form to compute credit, less certain reductions, for any estate tax imposed by Article 26 that was paid on the transfer of property to the **present decedent (transferee)** by or from a person (**transferor**) who died within 10 years before or within two years after the transferee's death. Property received from the transferor need not be identified in the estate of the transferee.

If there was no estate tax liability for a transferor's estate, and no credit for estate tax on prior transfers was allowable in the transferor's estate, there is no credit allowable in the transferee's estate for the transfer, even though estate tax was paid on the original transfer to the transferor and the original transferor died within 10 years of the present decedent.

The credit may be limited by section 959(d) of the New York State Tax Law so that it does not reduce the New York estate tax below the maximum allowable federal credit for state death taxes paid. See the instructions for line 52.

Part I — Transferor's Tax on Prior Transfer

Note: If the transferor's date of death was before September 30, 1983, use Form TT-190, Part I.

A photocopy of Form ET-90 or Form TT-385, *New York State Estate Tax Return*, Form TP-394 or Form TP-394.1, *Surrogate's Order Fixing Tax*, Form TP-392.1, *Supplemental Order Fixing Tax on Consent*, Form TT-141A, *Domicile Affidavit*, or Form TT-102, *Resident Affidavit*, covering assessment of tax on the transferor's estate, must accompany a claim for credit.

Line 1 — If the transferor was domiciled in New York State, enter the value of all property, including interests in property, received by the transferee from the transferor, except real property and tangible personal property located outside New York State, and property subject to the New York marital deduction. Use the same value as used to report the property in the transferor's New York gross estate. Include the value of life estates, remainder interests and general powers of appointment. If the transferee was the sole beneficiary of the estate of the transferor, enter the amount from line 36a, Form ET-90. For decedents who died on or before May 25, 1990, the New York gross estate may be found on the transferor's Form TT-86.5, page 3, *Recapitulation*, line 12, or on the transferor's Form TT-102, page 4, *Recapitulation*, line i.

If the transferor was not domiciled in New York State at the time of his or her death, only include the value of real property and tangible personal property located in New York State that was received by the transferee from the transferor. Use the same value as used to report the property in the transferor's New York gross estate.

If the transferee was the surviving spouse of the transferor, no credit is allowed with respect to property that qualified for and was allowed as a New York marital deduction in the transferor's estate.

Note: If the transferee received a share of the residuary estate, or the transferor's will directed that taxes and other charges be paid as expenses of administration without apportionment, enter the net amount of New York property received by the transferee, and do not deduct the taxes or other expenses on lines 2 and 3.

Attach a computation of how you arrived at the amount on line 1.

Line 2 — Enter the amount of all death taxes (federal, state and foreign) that were payable out of or chargeable against the New York property received by the transferee from the transferor's New York gross estate.

If the transferor did not have a will or the will did not contain a provision for payment of taxes, apportion taxes to the part of the taxable estate received by the transferee as it bears to the total taxable estate. For federal taxes, apportion taxes to the New York property included in the federal taxable estate.

If the transferor's will specifically states that taxes are to be paid from the **residuary** estate and the transferee did not receive a share of the residuary estate, no deduction is made for death taxes. However, if the transferee did receive a share of the residuary estate, apportion the taxes on the basis of the transferee's share of the residuary estate.

Note: If the transferor's will specifically states that death taxes are to be paid as expenses of administration without apportionment, all taxes are deducted from the transferor's estate before computing the amount reported on line 1, and no entry is made on line 2.

Line 3 — Enter the amount of any mortgages or debts of the decedent, and administrative or other expenses, that were payable out of the transferee's share of the transferor's New York gross estate. If expenses were paid without apportionment to the transferee's share, do not deduct them on line 3, as they should be reflected in the amount entered on line 1.

Line 6 Transferor's New York taxable estate — For purposes of calculating the credit, multiply the amount on the transferor's Form ET-90, line 3 (New York adjusted taxable estate), by the decimal on the transferor's Form ET-90, line 37.

For a resident transferor whose date of death was on or before May 25, 1990, enter the amount from Form TT-385, Form TT-86.5 or Form TT-102, page 1, line 1.

For a nonresident transferor whose date of death was on or before May 25, 1990, multiply the amount on the transferor's Form TT-385, line 1, by the percentage on the transferor's Form TT-385, line 32. If Form TT-86.5 was used, multiply the amount on page 3, line 24, by a fraction, the numerator of which is the value of the real property and tangible personal property located in New York State, and the denominator of which is the New York gross estate (computed as if a resident). (From the transferor's Form TT-86.5, page 3, line 12.)

Line 7 Transferor's federal net estate tax as allocated — If the transferor's estate was subject to federal estate tax, the transferor's New York taxable estate, line 6, must be reduced by the amount of federal estate tax paid that is attributable to the New York property included in the federal taxable estate.

Unless the transferor was a New York resident and the federal taxable estate and New York taxable estate are identical, attach a computation of how you arrived at the amount on line 7.

Allocate the federal net estate tax as follows: multiply the transferor's net federal estate tax paid by a fraction, the numerator of which is the net value of the New York property included in the transferor's federal taxable estate, and the denominator of which is the value of the transferor's federal taxable estate.

$$\text{net federal estate tax} \times \frac{\text{net value of NY property included in federal taxable estate}}{\text{value of federal taxable estate}}$$

Line 8 Transferor's New York net estate tax — Enter the amount from the transferor's Form ET-90, page 1, line 19a (for older Forms ET-90, line 19, less the minimum tax). For a resident transferor whose date of death was on or before May 25, 1990, enter the amount from Form TT-385 or Form TT-86.5, page 1, line 13, or from Form TT-102, page 1, *Tax Computation*, line 8. For a nonresident transferor, enter the nonresident tax.

Line 9 — Enter the amount of any other death taxes paid that are attributable to the transferor's New York property.

Line 13 — If the transferee died after June 9, 1994, enter the amount of credit, if any, allowed on the transferor's return for gift tax paid on pre-1983 gifts (from the transferor's Form ET-412 or Form TP-412).

If the transferee died on or before June 9, 1994, skip this line; the credit for gift tax paid on pre-1983 gifts is not allowed.

Line 14 — This amount should agree with the amount claimed on the transferor's return unless a prior transferor died more than ten years before the present decedent. In that case, the credit claimed on the transferor's return is reduced by the credit attributable to the transfer from that transferor who died more than ten years before the present decedent.

Part II — Transferee's Tax on Prior Transfer

Line 17 — For transferees who died after June 9, 1994, subtract the following credits, if applicable, from the amount shown on the transferee's Form ET-90, line 14:

- agricultural exemption credit (from Form ET-411);
- credit for New York gift tax paid on pre-1983 gifts (from Form ET-412);
- credit for closely held businesses (from Form ET-416).

For transferees who died on or before June 9, 1994, subtract the agricultural exemption credit (from Form ET-411) only.

Line 18 — Enter the amount of the transferee's New York adjusted **gross** estate from Form ET-90, line 1.

Line 19 — Enter the net value of the transfer (from this form, line 5, or from the appropriate line of Form TT-190). If there were two or more transferors, enter the **total** of all line 5 entries.

Line 36 — Multiply the amount on line 35 of this form by a fraction, the numerator of which is the transferee's New York gross estate (line 36a or line 36b of Form ET-90), reduced by the net value of prior transfers (line 19 of this form), and the denominator of which is the transferee's New York adjusted gross estate, reduced by the net value of prior transfers (line 20 of this form). The result may not be greater than the amount on line 35.

The transferee's New York gross estate is the amount from line 36a for a resident decedent, or line 36b for a nonresident decedent, of the transferee's Form ET-90. The net value of prior transfers is the amount from line 19 of this form. The denominator is the amount on line 20 of this form.

$$\text{Line 35 of this form} \times \frac{\text{Line 36a or 36b of Form ET-90} - \text{Line 19 of this form}}{\text{Line 20 of this form}}$$

Line 41 Credit for gift tax paid on pre-1983 gifts — If the transferee died after June 9, 1994, enter the amount of credit calculated on Form ET-412, if any.

If the transferee died on or before June 9, 1994, skip this line; the credit for gift tax paid on pre-1983 gifts is not allowed.

Part III Credit Allowable

Line 45 — Use this line to apportion the transferee's tax on prior transfers if there is more than one transferor. Otherwise, enter the amount from line 44 in column A **only** and omit column B.

For two or more transferors, complete the following calculation for each transferor: Divide the amount on line 5 by the amount on line 19, and multiply the result by the amount on line 44. Enter the result in a separate column. If there are only two transferors, use columns A and B; if there are more than two, use additional sheets.

Line 46 — For two or more transferors, enter in a separate column the amount from line 16 (for each transferor). **Note:** If you are using Form TT-190, page 1, enter the amount from line 16.

Line 48 — Enter the allowable **percentage** of the maximum credit using the following table:

a. If the transferor died before the transferee:

The percent of the maximum amount that is allowed as a credit depends on the number of years that has elapsed between the dates of death, determined in accordance with the following table:

| Period of time exceeding | But not over | Percent allowable |
|--------------------------|--------------|-------------------|
| — | 2 years | 100 |
| 2 years | 4 years | 80 |
| 4 years | 6 years | 60 |
| 6 years | 8 years | 40 |
| 8 years | 10 years | 20 |
| 10 years | — | 0 |

b. If transferee died before the transferor:

If not more than 2 years have elapsed between the dates of death of the transferee and transferor, the credit allowed is 100% of the maximum amount. If more than 2 years have elapsed, no credit is allowed.

Line 50 — Section 959(c) of the Tax Law requires that the credit be apportioned on the basis that the New York gross estate bears to the New York adjusted gross estate of the decedent. This is represented by the decimal that was calculated for line 37 of the transferee's Form ET-90.

Line 52 — Add columns A and B of line 51 if there were two or more transferors. Enter the total on line 52 of this form and on the transferee's Form ET-90, line 16.

If the estate of the transferee is required to file a federal estate tax return, the New York credit for estate tax on prior transfers may not reduce the New York net estate tax (Form ET-90, line 19) below the maximum amount allowable as a credit for state death taxes on the federal estate tax return of the transferee, as provided under section 2011 of the federal Internal Revenue Code (IRC).

Exception: This limitation on the amount of credit does not apply to the estate of a transferee if the federal credit for tax on prior transfers is limited by section 2013(c) of the IRC to the transferee's tax on prior transfers, as determined in part 2 of federal Schedule Q, *Credit for Tax on Prior Transfers*.

Privacy Notification

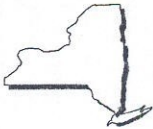
The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 905, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and Canada, call (518) 485-6800.

**Computation of Estate Tax Credit
For Agricultural Exemption**

For estates of decedents who died after May 25, 1990 (see Note below)

Attach this completed form to the original or amended Form ET-90.

| | | |
|-----------|------------------------|---------------|
| Estate of | Social security number | Date of death |
|-----------|------------------------|---------------|

Part I - Value of Qualifying Property

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|
| 1 Actual use value of qualified real property (see instructions) | 1 | | |
| 2 Fair market value of fixtures attached to qualified real property and tangible personal property used in conjunction with qualified real property (see instructions) | 2 | | |
| 3 Total value of all qualifying property employed in a qualified use (add lines 1 and 2) ... | 3 | | |

Part II - Exempt Amount

| | | | |
|------------------------------------------------------------------------------------------------------------|---|--|--|
| Agricultural exemption allowable: | | | |
| 4 100% of the amount on line 3 (up to and including \$200,000) | 4 | | |
| 5 50% of the amount on line 3 (in excess of \$400,000) | 5 | | |
| 6 Total gross amount qualifying for agricultural exemption (add lines 4 and 5) | 6 | | |
| 7 Value of qualifying property used to fund marital deduction, if any | 7 | | |
| 8 Net amount qualifying for agricultural exemption (subtract line 7 from line 6; not less than zero) | 8 | | |

Part III - Credit Available

| | | | |
|---------------------------------------------------------------------------------------------------------|----|--|--|
| 9 Tentative credit computed on the amount shown on line 8 (see Table in Instructions below) | 9 | | |
| 10 Unified credit (from Form ET-90, page 1, line 7) | 10 | | |
| 11 Credit allowable (subtract line 10 from line 9; enter here and on Form ET-90, page 1, line 15a) | 11 | | |

Instructions

To qualify for the credit, the adjusted value of the qualified property must constitute at least 50% of the adjusted value of the gross estate (refer to the instructions for special use valuation beginning on page 6 of Form ET-90-P).

Use this form to claim credit against the tax imposed under section 952(a) of Article 26 on the transfer of qualifying property used in the trade or business of farming.

Note: For estates of decedents who died on or before May 25, 1990, use Form TP-411 (11/86).

The credit is computed in accordance with subsections (a), (b) and (c) of section 958-a of the New York State Tax Law.

Attach a copy of this completed form to Form ET-90, *New York State Estate Tax Return*.

Part I — Value of Qualifying Property

Line 1 — *Actual use value* means the valuation of qualified real property as calculated under section 954-a of the Tax Law rather than its fair market value determined on its potential (*highest and best*) use.

Line 2 — Enter the fair market value of fixtures attached to the qualified real property, but not included in the valuation thereof, and tangible **personal** property, such as farm equipment and livestock, used for farming purposes in conjunction with qualified real property.

Part II — Exempt Amount

Lines 4 and 5 — An agricultural exemption is allowed on the first \$200,000 in value of the qualified property and one-half the value of the qualified property in excess of \$400,000.

Part III — Credit Available

Line 9 — Use the table below to compute the tentative **credit** for the amount shown on line 8. The maximum allowable credit is \$15,000.

| Table | |
|-------------------------------------|-------------------------------------|
| 2% of first \$50,000 exempt | 4% of next \$150,000 exempt, if any |
| 3% of next \$100,000 exempt, if any | 5% of next \$100,000 exempt, if any |

Line 11 — Enter this amount on line 15a of Form ET-90, *New York State Estate Tax Return*.

Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

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New York State Department of Taxation and Finance

Computation of Credit for Gift Tax

For estates of decedents who died after May 25, 1990

ET-412

(4/98)

Attach this completed form to the original or amended Form ET-90.

| | | | | | |
|------------------------|--|---------------------------------------------|--|----------------|--|
| Decedent's last name | | First | | Middle initial | |
| Social security number | | County of residence | | Date of death | |
| Donee's last name | | First | | Middle initial | |
| Relationship to donor | | Calendar quarter of the NY gift tax returns | | | |

Part I — First Limitation (use column B for portion of gift by donor reported by spouse in case of split gifts)

| | A | B |
|-----------------------------------------------------------------------------------|----|----|
| 1 Value of gift as reported on New York gift tax return | 1 | 1 |
| 2 New York annual exclusion applicable to line 1 | 2 | 2 |
| 3 New York marital deduction applicable to line 1 | 3 | 3 |
| 4 New York charitable deduction applicable to line 1 | 4 | 4 |
| 5 Add lines 2, 3 and 4 | 5 | 5 |
| 6 Amount of gift (subtract line 5 from line 1) | 6 | 6 |
| 7 New York taxable gifts (from Form TP-400, page 1, line 1) | 7 | 7 |
| 8 Total New York gift tax paid (from Form TP-400, page 1, line 6) | 8 | 8 |
| 9 First limitation (divide line 6 by line 7; multiply the result by line 8) | 9 | 9 |
| 10 Total first limitation (line 9, add column A and column B) | 10 | 10 |

Part II — Second Limitation

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 11 Value of gift as reported on New York estate tax return | 11 |
| 12 If line 1 is less than or equal to line 11, subtract line 2 from line 1 | 12 |
| 13 If line 1 is more than line 11, divide line 11 by line 1 and multiply the result by line 2; subtract the result from line 11 | 13 |
| 14 New York estate tax marital deduction of donee | 14 |
| 15 Value of property interests qualifying for New York estate tax marital deduction (see instructions) | 15 |
| 16 Divide line 14 by line 15 and multiply the result by line 13 (applicable only to the extent that line 12 includes the value of property interests qualifying for New York estate tax marital deduction) | 16 |
| 17 New York estate tax charitable deduction attributable to line 11 | 17 |
| 18 If line 1 is less than or equal to line 11, subtract line 2 from line 17 | 18 |
| 19 If line 1 is more than line 11, divide line 11 by line 1 and multiply the result by line 2; subtract the result from line 17 | 19 |
| 20 Add lines 16 and 18 or 19 | 20 |
| 21 Value of the gift (subtract line 20 from line 12 or line 13) | 21 |
| 22 New York adjusted gross estate (from Form ET-90, line 34) | 22 |
| 23 New York marital deduction (from Form ET-90, line 46) | 23 |
| 24 New York charitable deduction (from Form ET-90, line 49) | 24 |
| 25 Add lines 23 and 24 | 25 |
| 26 Subtract line 25 from line 22 | 26 |
| 27 New York estate tax (from Form ET-90, line 6) | 27 |
| 28 Second limitation (divide line 21 by line 26; multiply the result by line 27) | 28 |
| 29 Unified credit limitation (divide line 21 by line 26; multiply the result by the amount of unified credit) | 29 |
| 30 Agricultural credit limitation (divide the estate tax value of farm from Schedule G by line 22; multiply result by the amount on Form ET-90, line 15a) | 30 |
| 31 Closely held business credit limitation (divide the estate tax value of closely held business from Schedule G by line 22; multiply result by the amount on Form ET-90, line 15b) | 31 |
| 32 Add lines 29, 30 and 31 | 32 |
| 33 Subtract line 32 from line 28 | 33 |
| 34 Credit (enter the lesser of line 10 or line 33; also enter on Form ET-90, line 17) | 34 |

See Instructions on the back

Instructions

This credit is not allowable for gifts made after December 31, 1982. Therefore, any reference to *Form TP-400* or *gift tax return* refers to the quarterly return (Form TP-400 or TP-401) with a revision date of 10/80 or earlier, or to Form MT-730 or MT-731.

Do not complete this form if the gift was made to the decedent donor's spouse and the unlimited marital deduction is claimed.

When the credit is claimed for more than one gift included in the adjusted gross estate, a separate computation of the two limitations on the credit is required for each gift.

Attach a copy of all gift tax returns that report gifts for which the credit is claimed. Also, attach copies of amended returns and/or audit adjustments.

Part I - First Limitation

Line 1 — Enter the value of the gift at the time of transfer, as reported on the gift tax return. This amount should include only gifts for which New York gift tax has been paid and that are included in the New York adjusted gross estate.

Line 7 — This amount should be taken from the gift tax return that included the gift for which this computation is being made.

Line 9 — The *first limitation* equals the portion of the gift tax paid that is attributable to the gifts included in the estate of the donor.

Line 10 — Total first limitation - if the gifts are split between husband and wife and the entire value of the gift is included in the deceased spouse's estate, the credit will be based on the tax paid on the gift tax returns of both the husband and wife. However, if only one-half of the gift is included in the estate, the credit will be based on the deceased spouse's return only.

Part II - Second Limitation

Line 11 — Enter the date of death value or alternative value of the included transfer, as reported on the estate tax return - Schedule G. (Note: The amount of gift tax reported on Schedule G as paid on the included gift does not increase the value of the interest transferred.)

Line 14 - 16 — Complete these lines only if the spouse is the donee of the gift and a marital deduction is claimed on the estate tax return.

Line 15 — This amount should equal the total amount received from the estate by the spouse that **qualifies** for the New York State estate tax marital deduction.

Line 28 — This amount should equal the portion of the estate tax attributable to the inclusion of the gift.

Line 29 — This computation apportions the amount of the unified credit allowed due to the inclusion of the gift. The unified credit is taken from Form ET-90, page 1, line 7.

Line 30 — This computation apportions the amount of the agricultural credit allowed due to the inclusion of the gift. The agricultural credit is taken from Form ET-90, page 1, line 15a.

Line 31 — This computation apportions the amount of the closely held business credit allowed due to the inclusion of the gift. The closely held business credit is taken from Form ET-90, page 1, line 15b.

Line 33 — The amount shown on this line represents the net amount of estate tax on this gift.

Line 34 — Limitation of credit - in no event may the credit exceed the amount of estate tax due before the credit is claimed.

Need Help?

Telephone Assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday. For tax information, call toll free 1 800 641-0004. To order forms and publications, call toll free 1 800 462-8100. From areas outside the U.S. and outside Canada, call (518) 485-6800.

Fax-on-Demand Forms Ordering System - Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

Internet Access - <http://www.tax.state.ny.us>
Access our website for forms, publications, and information.

Hotline for the Hearing and Speech Impaired - If you have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Assistance is available from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

Mailing Address - If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany, NY 12227.

Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.



New York State Department of Taxation and Finance

Application for Deferred Payment of Estate Tax

When the estate consists largely of an interest in a closely held business
For the estate of a decedent whose date of death is after May 25, 1990

ET-415
(3/06)

Attach this completed form to the original or amended Form ET-706, Form ET-90, Form ET-115, or Form ET-115.1.

| | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------|----------------------------------------------------|----------------|------------------------------|--|
| Decedent's last name | | First name | | Middle initial | Social security number (SSN) | |
| Estate tax return due date | Date 2% interest rate begins | Number of annual installments elected | Due date of first installment of tax plus interest | | Date of death | |
| Are you electing to make installment payments on a deficiency? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, see instructions for line 6 on back. | | | | | | |

| | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------|-----|--|---|--|
| 1 Value of decedent's interest in a closely held business | 1. | | | |
| 2 Federal adjusted gross estate | 2. | | | |
| 3 Percentage ratio (divide line 1 by line 2; see instructions) | 3. | | % | |
| 4 Net estate tax payable (from Form ET-706, line 8, Form ET-90, line 19c, Form ET-115, line 19c or 23, or Form ET-115.1, line 8) | 4. | | | |
| 5 Maximum amount of estate tax that may be, or could have been, deferred (multiply line 4 by the percent on line 3) | 5. | | | |
| 6 Amount of line 5 you elect to pay in installments (for deficiencies, see instructions) | 6. | | | |
| 7 Amount of tax not deferred (subtract line 6 from line 4) | 7. | | | |
| 8 Amount of estate tax paid to date | 8. | | | |
| 9 Amount due with this application, if any (subtract line 8 from line 7) | 9. | | | |
| 10 Amount of annual installment of tax (divide line 6 by the number of annual installments you elected above, not to exceed 10) | 10. | | | |

Make check or money order payable to **Commissioner of Taxation and Finance** and attach this application to Form ET-706, Form ET-90, Form ET-115, or Form ET-115.1.

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------|------------|----|-----------------------|------|
| Executor's last name | First name | MI | Signature of executor | Date |
| For Department use only | | | | |
| <input type="checkbox"/> Application approved for \$ Payable in annual installments of \$, plus interest. | | | | |
| <input type="checkbox"/> Application denied for the following reason: | | | | |
| Signature of reviewer | | | | |
| Date | | | | |

Instructions

General information

An executor of the estate must sign this form (see *Executor information* on Form ET-706-I, *Instructions for Form ET-706*) and attach it to Form ET-706 or Form ET-90, *New York State Estate Tax Return*, or Form ET-115 or Form ET-115.1, *New York State Estate Tax Report of Federal Audit Changes*, when applying for an extension of time for payment of that portion of the New York State estate tax applicable to the value of the decedent's interest in a closely held business included in the gross estate. Also, you must mark the appropriate Yes box on Form ET-706, page 1; Form ET-90, page 3; or Form ET-115 or Form ET-115.1, page 1.

The deferred payment plan will be canceled if any portion of the New York State estate tax and any applicable penalty and interest that is not subject to the deferral remains unpaid and an extension of time to pay that portion of the tax has not been granted.

Election to defer payment of the estate tax attributable to a closely held business — The executor may elect to pay that portion of the New York State estate tax attributable to the decedent's interest in a closely held business in annual installments of not less than two, or more than ten, equal payments.

Qualifications — To qualify, the decedent's interest in a closely held business must be more than 35% of the federal adjusted gross estate. When the estate is required to file a federal estate tax return, the estate must make a similar election for federal purposes.

Time limit for making the election — The election must be made within **nine months** after the date of death, or **fifteen months** after the date of death when the estate has been granted an extension

(continued)

Instructions (continued)

of time to file the estate tax return. (See Form ET-133, *Application for Extension of Time to File and/or Pay Estate Tax*.)

Due dates for payment of tax and payment of interest — Unless an earlier date is elected, the due date for the first installment payment of tax is the date that is five years and nine months after the date of death (see *Exceptions* below). **Interest payments** must be made annually, beginning with the date that is one year and nine months after the date of death. The due date for the fifth payment of interest coincides with the first payment of tax.

Interest rates on the deferred tax — Interest accrues on the deferred tax from the date that is nine months after the date of death. However, a reduced rate of interest is imposed on the lesser of \$54,000, or the tax attributable to the decedent's interest in a closely held business. The prevailing rate of interest is charged on the excess over \$54,000.

For dates of death on or after January 1, 1998, the reduced rate of interest is 2%.

Unlike the federal law, the amount eligible for the reduced rate of interest is not adjusted annually for inflation, and the tax in excess of the \$54,000 is not eligible for a reduced rate of interest.

Exceptions:

1. When an estate uses a partnership interest or non-readily-tradeable stock that was held by the decedent to meet the 35% requirement, the estate must forego both the reduced rate of interest and the deferral of the first installment payment of tax. In this case, the first installment payment of tax is due on the date that is nine months after the date of death.
2. In the case of a deficiency, special rules apply. See the instructions for line 6 below.

Line instructions

Line 1 — Enter the market value or special use value of the decedent's interest in the closely held business.

Line 2 — **Federal adjusted gross estate** — The federal adjusted gross estate is the same amount as used for the federal election (IRC section 6166(b)(6)), provided that when the estate elects the federal qualified conservation easement exclusion, it also qualifies for New York State purposes. Otherwise it is the amount reported on Form ET-706, page 3, Schedule A, line 22, reduced by the deductions allowable under IRC sections 2053 (expenses, indebtedness, and certain taxes) or 2054 (losses during administration).

For dates of death before February 1, 2000, it is the amount used for the federal election or, when a federal return is not required, it is the amount reported on Form ET-90, page 2, line 32, reduced by the amount on line 33b (qualified conservation easement exclusion) and the deductions allowable under IRC sections 2053 or 2054.

Line 3 — **Percentage ratio** — To compute the percentage ratio, divide the amount on line 1 by the amount on line 2. The value of the decedent's interest in a closely held business must be more than 35% of the federal adjusted gross estate (amount on line 2).

Note: For the purpose of determining eligibility for deferred payment, the 35% requirement must also be met by computing the percentage ratio with the value of any gifts made by the decedent within three years of death added to the federal adjusted gross estate (IRC section 2035(d)(4)).

Line 5 — **Maximum amount that could be deferred** — This represents the portion of the net estate tax attributable to the value of the closely held business.

Line 6 — **Amount elected for installment payments** — In the case of a deficiency, the amount of the deficiency payable in installments may not exceed the difference between the amount of tax that you previously elected to pay in installments, if any, and the maximum amount of tax that you could have elected to pay in installments

on the basis of a return that reflects the adjustments that resulted in the deficiency. This amount is then prorated to the installments you previously elected. The part of the deficiency prorated to installments not yet due is paid as a part of those installments. The part of the deficiency prorated to installments already paid or currently due should be paid with this application.

If the executor did not elect to pay the tax on the closely held business in installments, he or she has 60 days after the issuance of a notice and demand to make an election to pay the deficiency in installments. If a federal estate tax return is required, the executor must also elect to pay the federal deficiency in installments.

Line 7 — **Amount of tax not deferred** — This represents the portion of the net estate tax that is not deferred under section 997 of the Tax Law.

Line 10 — **Amount of annual installment of tax** — Divide the amount on line 6 by the number of annual installments elected (that is, two or more equal annual installments, not to exceed 10).

The annual installment of interest, or tax plus interest, will be billed by the Tax Department.

The estate of an individual whose date of death is before January 1, 1998, had until July 1, 1999, to elect to have the 4% interest rate reduced to 2% on the balance of payments subject to the 4% rate.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

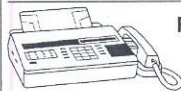
Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

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Need help?

Internet access: www.nystax.gov
(for information, forms, and publications)



Fax-on-demand forms: Forms are
available 24 hours a day,
7 days a week.

1 800 748-3676



Telephone assistance is available from 8:00 A.M. to 5:00 P.M. (eastern time), Monday through Friday.
To order forms and publications: 1 800 462-8100
For estate tax information: 1 800 641-0004
From areas outside the U.S. and outside Canada: (518) 485-6800



Hotline for the hearing and speech impaired: If you have access to a telecommunications device for the deaf (TDD), contact us at 1 800 634-2110. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.



Persons with disabilities: In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 641-0004.



Computation of Estate Tax Credit For Closely Held Businesses

For estates of decedents dying after June 9, 1994

Attach this completed form to the original or amended Form ET-90.

| | | |
|---------------------------------------------------------------------------------------------------------------|------------------------|---------------|
| Estate of | Social security number | Date of death |
| 1 Value of qualifying property (not to exceed \$15 million) | | 1 |
| 2 Percentage allowed. . . . 5% (.05) | | 2 .05 |
| 3 Allowable credit (multiply line 1 by the decimal on line 2; enter here and on Form ET-90, page 1, line 15b) | | 3 |

Instructions

Use this form to claim credit against tax imposed under section 952(a) of Article 26 on the transfer of qualifying property used in certain closely held businesses.

The credit is computed in accordance with subsections (a), (b), (c), (d) and (e) of section 958-b of the New York State Tax Law.

Attach a copy of this completed form to Form ET-90, *New York State Estate Tax Return*.

Line 1 — The value reported means the valuation of qualified property as calculated under section 958-b of the Tax Law.

Line 3 — Enter this amount on Form ET-90, *New York State Estate Tax Return*. The maximum allowable credit is \$750,000.

General Information

Article 26, section 958-b of the New York State Tax Law provides for a credit against the tax imposed under section 952, subsection (a) of this Article. The credit is equal to 5% of the first 15 million dollars in value of qualified property that was owned by the decedent and that has vested in one or more qualified heirs.

Definitions

Qualified heir - with respect to any property, a member of the decedent's family who acquired the property (or to whom the property passed) from the decedent. If a qualified heir disposes of any interest in qualified real property to any member of his family, that member shall thereafter be treated as the qualified heir with respect to that interest.

Member of family - with respect to any individual only:

- an ancestor of the individual; or
- the spouse of the individual; or
- a lineal descendant of the individual, of the individual's spouse, or of a parent of the individual; or
- the spouse of any lineal descendant.

Note: The legally adopted child of an individual shall be treated as the child of the individual by blood.

Qualified property - an interest in a closely held business as defined in subsections (b) and (c) of section 6166 of the IRC, to the extent included in the New York gross estate. An interest in a closely held business included in determining the New York gross estate of a decedent is not qualified property unless the estate qualifies for installment payments of tax under section 6166 of the IRC, as applied to New York Law by section 997 of the Tax Law. Qualified property does not include property that has been taken into account in computing the marital deduction.

Interest in a closely held business

- an interest as a proprietor in a trade or business carried on as a proprietorship; or
- an interest as a partner in a partnership carrying on a trade or business if:
 - a) 20% or more of the total capital interest in the partnership is included in determining the gross estate of the decedent; or
 - b) the partnership had 15 or fewer partners; or
- stock in a corporation carrying on a trade or business if:
 - a) 20% or more in value of the voting stock of the corporation is included in determining the gross estate of the decedent, or
 - b) the corporation had 15 or fewer shareholders.

Qualified replacement property

- any interest in a closely-held business, as defined in section 6166(b) of the federal Internal Revenue Code, except:
 - a) with regard to an interest in a partnership, the requirement that at least 20% of the capital interest of the partnership be included in the federal gross estate of the decedent is disregarded; and

- b) with regard to stock in a corporation, the requirement that at least 20% of the value of the voting stock of the corporation be included in the federal gross estate of the decedent is disregarded; or

- money or other property attributable to any interest in a closely-held business, acquired by a qualified heir to replace qualified property (or previously acquired qualified property); or

- money or other property attributable to qualified property withdrawn from the closely-held business (or to previously acquired replacement property), when the interest or property is acquired by the qualified heir within 6 months of:

- a) the distribution, sale, exchange, or other disposition of the qualified property (or previously acquired qualified replacement property); or
- b) the withdrawal of the money or other property attributable to the qualified property (or previously acquired qualified replacement property).

Tax treatment of dispositions of qualified property

Section 958-b(c) provides that, if within 3 years from the date of the decedent's death and before the death of the qualified heir, an acceleration of payment of estate tax, pursuant to section 6166(g) of the federal Internal Revenue Code, as conformed to New York Tax Law by section 997, occurs, or would have occurred if an extension of time for payment of estate tax had been elected, and the aggregate value of the interests so distributed, sold, exchanged or otherwise disposed of and such money and other property so withdrawn, after subtracting the aggregate value, if any, of **qualified replacement property**, equals or exceeds 50% of the value of the decedent's interest in a closely-held business as of the date of distribution, etc., a tax will be due, equal to the amount of credit allowed for such interest, multiplied by the number of months remaining between the date of distribution and 36 months from the decedent's date of death, and divided by 36. In addition, interest computed from the date of death, will be due on the additional amount. The qualified heir shall be personally liable for the additional tax imposed with respect to his or her interest unless such heir has furnished a security bond in such amount and for such period as required.

Indefeasibly vested interests

For purposes of subsection (a) of section 958-b, property vested in an individual shall be deemed indefeasibly vested notwithstanding that it may be divested, or the interest therein may terminate or fail by reason of the individual's death either within six months after the decedent's death or through a common disaster resulting in both of their deaths, provided that such divestment, termination or failure does not in fact occur.

Valuation of interest in property

The value of all interests eligible for credit under subsection (a) of section 958-b is the value at which the interests are includable in the New York gross estate.

Privacy Notification

Our authority to require and maintain this personal information, including social security numbers, is found in section 171, subdivisions First and Fourteenth, subsection (a) of section 977 and subsection (c) of section 994 of the Tax Law.

We will use this information primarily to determine New York State estate tax liabilities under Article 26 of the Tax Law. We will also use it for administrative purposes and for any other purpose authorized by law.

Your failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law or the Penal Law.

This information will be maintained by the Director Data Management Services Bureau, NYS Tax Department, Building 8 Room 905, W A Harriman Campus, Albany NY 12227; telephone (from New York State only) 1 800 CALL TAX (1 800 225-5829); from outside New York State, call (518) 438-8581.

**Computation of Family-owned
Business Exclusion****ET-417**
(9/98)

For estates of decedents dying on or after January 1, 1998, and before February 1, 2000

Attach this completed form to the original or amended Form ET-90.

| | | | | |
|----------------------|-------|----------------|------------------------|---------------|
| Decedent's last name | First | Middle initial | Social security number | Date of death |
|----------------------|-------|----------------|------------------------|---------------|

Part I - Adjusted Value of Qualified Family-owned Business Interests

| | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|----------------|---|--|--|
| 1 Family-owned business interests reported on Form ET-90. All property reported here must be included in one of the schedules for Form ET-90 | | | 1 | | |
| Schedule and Item | Description of business interest | Reported Value | | | |
| | | | | | |
| 2 Total of family-owned business interests listed above | | | 2 | | |
| 3 Total from Schedule K, <i>Debts of the Decedent, Mortgages and Liens</i> (enter here and on line 15 below) | | | 3 | | |
| 4 | Mortgages and other indebtedness on the qualified residence of the decedent | | | | |
| 5 | Amount of any indebtedness for educational or medical expenses | | | | |
| 6 | Amount of any other debts listed on Schedule K. Do not exceed \$10,000 in total | | | | |
| 7 Total allowable indebtedness (add lines 4, 5, and 6) | | | 7 | | |
| 8 Subtract line 7 from line 3 | | | 8 | | |
| 9 Adjusted value of qualified family-owned business interests (subtract line 8 from line 2) | | | 9 | | |

Part II - Qualifying Estate**Gifts of qualified family-owned business interests**

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|--|--|
| 10 All gifts of qualified family-owned business interests made by the decedent to a qualified heir, and retained by the heir | 10 | | | |
| 11 Gifts of qualified family-owned business interests included in the decedent's gross estate | 11 | | | |
| 12 Subtract line 11 from line 10 (enter here and on line 17 below) | 12 | | | |
| 13 Add lines 9 and 12 | 13 | | | |
| Adjusted gross estate | | | | |
| 14 Federal gross estate, including qualified family-owned business interests | 14 | | | |
| 15 Total of Schedule K (from line 3 above) | 15 | | | |
| 16 Subtract line 15 from line 14 | 16 | | | |
| 17 Amount from line 12 above | 17 | | | |
| 18 Total amount of any transfers to the decedent's spouse, if made by the decedent within ten years of his or her death | 18 | | | |
| 19 Amount of all other gifts made by the decedent within three years of his or her death, including gifts of a present interest to family members, reduced by the amount of the applicable annual exclusion | 19 | | | |
| 20 Add lines 17, 18, and 19 | 20 | | | |
| 21 Enter the total of any amounts included on line 20 that are includable in the federal gross estate | 21 | | | |
| 22 Subtract line 21 from line 20 | 22 | | | |
| 23 Adjusted gross estate (add lines 16 and 22) | 23 | | | |
| 24 Enter one-half of the amount from line 23 | 24 | | | |
| 25 If line 13 exceeds line 24, enter here and on line 33a of Form ET-90 the amount from line 9 above, not exceeding \$675,000 for 1998 (\$650,000 for 1999; \$625,000 for 2000). If line 13 does not exceed line 24, the estate does not qualify | 25 | | | |

Instructions

Use this form to claim the family-owned business exclusion on the New York State estate tax return.

To qualify:

1. The decedent must have been a citizen or resident of the United States.
2. The qualified family-owned business must be an interest in a trade or business, regardless of form, with a principal place of business in the United States. The interest must be included in the decedent's New York gross estate.
3. The aggregate value of the decedent's qualified family-owned business interests that are passed to qualified heirs must exceed 50% of the decedent's adjusted federal gross estate.
4. If a qualified heir is not a citizen of the United States, any qualified family-owned business interests acquired by that heir must be held in a trust meeting the requirements similar to those imposed on Qualified Domestic Trusts (Q-DOTs) under section 2056A(a), of the federal Internal Revenue Code.
5. The decedent and/or a member of his or her family must have owned the business interests at least 5 out of the 8 years immediately preceding the date of the decedent's death, and must have materially participated in the operation of the business during the same period.
6. Qualified family-owned business interests include:
 - a. A sole proprietorship in a trade or business.
 - b. An interest in an entity, at least 50% of which is owned (directly or indirectly) by the decedent and members of the decedent's family.
 - c. An interest in an entity, at least 70% of which is owned (directly or indirectly) by members of two families and at least 30% of which is owned by the decedent and members of the decedent's family.
 - d. An interest in an entity, at least 90% of which is owned (directly or indirectly) by members of three families and at least 30% of which is owned by the decedent and members of the decedent's family.

Qualified heirs include any individual who has been actively employed by a trade or business for at least 10 years prior to the date of the decedent's death, and members of the decedent's family.

Caution: If the estate is required to file a federal estate tax return, Form 706, it may still claim the family-owned business exclusion on its New York State estate tax return.

If an estate claims the family-owned business exclusion on a New York State estate tax return, it may not claim the agricultural credit or the credit for a closely-held business on its New York State estate tax return.

The election to claim the exclusion must be made no later than the due date of the return, including extensions, and once made the election is irrevocable.

Need Help?

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Fax-on-Demand Forms Ordering System - Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

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Privacy Notification

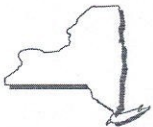
The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

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**Computation of the Family-Owned Business Interests Deduction****ET-417-D**

(2/00)

For estates of decedents dying on or after January 1, 1998, and before February 1, 2000

Attach this completed form to the original or amended Form ET-90.

| | | | | |
|----------------------|------------|----------------|------------------------|---------------|
| Decedent's last name | First name | Middle initial | Social security number | Date of death |
|----------------------|------------|----------------|------------------------|---------------|

Part I – Adjusted value of qualified family-owned business interests

- 1 Family-owned business interests reported on Form ET-90. In the area provided, list each business interest, the schedule of the return it was reported on, and its value. All property reported here must be included in schedules A, B, C, D, E, F, G, or H for Form ET-90.

| Schedule and item no. | Description of business interest | Reported value |
|-----------------------|----------------------------------|----------------|
|-----------------------|----------------------------------|----------------|

- | | | | | |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|
| 2 | Total of family-owned business interests listed above | 2 | | |
| 3 | Total from Schedule K, <i>Debts of decedent, mortgages and liens</i> (enter here and on line 15 below) | 3 | | |
| 4 | Mortgages and other debts on a qualified residence of the decedent that qualify for the mortgage interest deduction, and are included on line 3 | 4 | | |
| 5 | Indebtedness used for educational or medical expenses included on line 3 ... | 5 | | |
| 6 | Other debts included on line 3, and not on 4 or 5. Do not enter more than \$10,000. | 6 | | |
| 7 | Total allowable indebtedness (add lines 4, 5, and 6) | 7 | | |
| 8 | Subtract line 7 from line 3 | 8 | | |
| 9 | Adjusted value of qualified family-owned business interests (subtract line 8 from line 2) | 9 | | |

Part II – Qualifying estate**Includible gifts of qualified family-owned business interests**

- | | | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|--|
| 10 | Decedent's gifts of qualified interests made to qualified heirs (other than the decedent's spouse), retained by the heirs, and includable in federal adjusted taxable gifts | 10 | | |
| 11 | Gifts of qualified interests to qualified heirs that are not included in federal adjusted taxable gifts because of the gift tax annual exclusion | 11 | | |
| 12 | Add lines 10 and 11 (enter here and on line 17 below) | 12 | | |
| 13 | Add lines 9 and 12 | 13 | | |

Adjusted gross estate

- | | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|--|
| 14 | Federal gross estate from line 1, Part 2, of federal Form 706 (see instructions if a federal estate tax return is not required) | 14 | | |
| 15 | Total of Schedule K (from line 3 above) | 15 | | |
| 16 | Subtract line 15 from line 14 | 16 | | |
| 17 | Amount from line 12 above, if any | 17 | | |
| 18 | Total amount of any transfers to the decedent's spouse, if made by the decedent within ten years of his or her death | 18 | | |
| 19 | Amount of all other gifts made by the decedent within three years of his or her death, including gifts of a present interest to family members, reduced by the amount of the applicable annual exclusion | 19 | | |
| 20 | Add lines 17, 18, and 19 | 20 | | |
| 21 | Enter the total of any amounts included on line 20 that are includable in the federal gross estate | 21 | | |
| 22 | Subtract line 21 from line 20 | 22 | | |
| 23 | Adjusted gross estate (add lines 16 and 22) | 23 | | |
| 24 | Enter one-half of the amount from line 23. If line 13 exceeds this amount, complete line 25, otherwise the estate does not qualify | 24 | | |
| 25 | Enter here and on page 2, line 42 of Form ET-90, the amount on line 9 above, reduced by the value of such property included on Schedule M and any expenses (including taxes) payable out of such property, or a lesser amount if you so elect. Do not exceed \$675,000 | 25 | | |

Instructions

For up-to-the-minute information on New York State taxes, including your New York State estate tax return, visit our Web site at <http://www.tax.state.ny.us>.

Use this form to claim the family-owned business interests deduction on the New York State estate tax return. Estates of individuals who died on or after January 1, 1998, and before September 9, 1999, may elect this deduction or the family-owned business exclusion. See Form ET-417 for information on the exclusion.

To qualify:

1. The decedent must have been a citizen or resident of the United States on the date of death.
2. The qualified family-owned business must be an interest in a trade or business, regardless of form, with its principal place of business in the United States.
3. The adjusted value of the decedent's qualified family-owned business interests that are passed to qualified heirs (line 13 of this form) must exceed 50% of the decedent's federal adjusted gross estate.
4. If a qualified heir is not a citizen of the United States, any qualified family-owned business interests acquired by that heir must be held in a trust meeting requirements similar to those imposed on Qualified Domestic Trusts (Q-DOTs) under section 2056A(a) of the federal Internal Revenue Code (IRC).
5. The decedent and/or a member of his or her family must have owned the business interests at least five out of the eight years immediately preceding the date of the decedent's death, and must have materially participated in the operation of the business during the same period.
6. *Qualified family-owned business interests* include:
 - a. A sole proprietorship in a trade or business.
 - b. An interest in an entity, at least 50% of which is owned (directly or indirectly) by the decedent and members of the decedent's family.
 - c. An interest in an entity, at least 70% of which is owned (directly or indirectly) by members of two families and at least 30% of which is owned by the decedent and members of the decedent's family.
 - d. An interest in an entity, at least 90% of which is owned (directly or indirectly) by members of three families and at least 30% of which is owned by the decedent and members of the decedent's family.

Qualified heirs include any individual who has been actively employed by a trade or business for at least 10 years prior to the date of the decedent's death, and members of the decedent's family.

Refer to the instructions for federal Form 706, *Schedule T*, for additional information.

Caution: When an estate claims the family-owned business interests deduction on a New York State estate tax return, it may not claim the agricultural credit or the credit for a closely-held business on its New York State estate tax return.

Line instructions

Line 4 – Include the balances outstanding as of the decedent's death, for mortgages and loans (acquisition and home equity indebtedness) on a qualified residence of the decedent, that qualify

for the mortgage interest deduction under section 163(h) of the federal IRC, and are reported on Schedule K and included in the amount on line 3.

Line 5 – Enter the amount of any indebtedness that is included in the amount on line 3, is not included in the amount on line 4, and whose proceeds were used to pay educational or medical expenses of the decedent, his or her spouse, or dependents.

Line 10 – Using the date of gift value, enter the amount of gifts, if any, that:

- are includable on line 4 of Part 2, page 1, of federal Form 706 (or would be if a federal return was required);
- were gifts of qualified family-owned business interests, made by the decedent during his or her lifetime, to any qualified heir, except such gifts made to his or her spouse; and
- continuously held by such members of the decedents family from the date of the gift to the date of the decedent's death.

Line 11 – Using the date of gift value, enter the total of gifts of qualified family-owned business interests that are not included on line 10 because they were excluded from federal taxable gifts due to the gift tax annual exclusion, and are not included in the federal gross estate.

Line 14 – If the estate is not required to file a federal estate tax return, Form 706, the federal gross estate can be determined by taking the amount on page 2, line 32 of Form ET-90, *New York State Estate Tax Return*, and reducing it by the amount on page 2, line 33b.

Need help?

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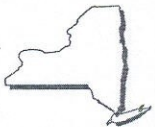
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Mailing address: If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.



Computation of Qualified Conservation Easement Exclusion

For estates of decedents dying on or after January 1, 1998, and before February 1, 2000

ET-418

(1/00)

Attach this completed form to the original or amended Form ET-90.

| | | | | |
|----------------------|------------|----------------|------------------------|---------------|
| Decedent's last name | First name | Middle initial | Social security number | Date of death |
|----------------------|------------|----------------|------------------------|---------------|

| | | | | |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|--|
| 1 | Estate tax value of land subject to the qualified conservation easement | 1 | | |
| 2 | Date of death value of any easements granted prior to decedent's death and included on line 7 below | 2 | | |
| 3 | Add lines 1 and 2 | 3 | | |
| 4 | Value of retained development rights on the land (enter here and on line 14 below) | 4 | | |
| 5 | Subtract line 4 from 3 | 5 | | |
| 6 | Multiply line 5 by 30% (.3) | 6 | | |
| 7 | Total date of death value of qualified conservation easement(s) for which the exclusion is being claimed | 7 | | |
| If line 7 is equal to or more than line 6, skip lines 8, 9, and 10, enter .4000 on line 11, and complete the form. | | | | |
| If line 7 is less than line 6, go to line 8. | | | | |
| 8 | Divide line 7 by line 5 (carry result to 4 decimal places). If the result is equal to or less than .1000, stop . The estate does not qualify for the conservation easement exclusion | 8 | | |
| 9 | Subtract line 8 from .3000 | 9 | | |
| 10 | Multiply line 9 by two (carry result to four decimal places) | 10 | | |
| 11 | Subtract line 10 from .4000 | 11 | | |
| 12 | Charitable deduction taken for the conservation easement | 12 | | |
| 13 | Amount of indebtedness on the land | 13 | | |
| 14 | Value of retained development rights on the land (from line 4 above) | 14 | | |
| 15 | Total of reductions (add lines 12, 13, and 14) | 15 | | |
| 16 | Net value of land (subtract line 15 from line 1) | 16 | | |
| 17 | Multiply line 16 by line 11 | 17 | | |
| 18 | Enter the smaller of line 17 or \$100,000 for 1998; \$200,000 for 1999; or \$300,000 for 2000 (also enter this amount on line 33b of Form ET-90) | 18 | | |

Instructions

If the estate is **not required** to file a federal estate tax return, use this form to claim the qualified conservation easement exclusion on the New York State estate tax return.

If the estate is **required** to file a federal estate tax return, do not use Form ET-418. Instead, enter on line 33b of Form ET-90 the amount from item 11 (line 21 of federal Schedule U), Part 5, Recapitulation, page 3, of federal Form 706, *United States Estate Tax Return*. When the estate is required to file a federal estate tax return and does not elect the exclusion on the federal estate tax return, the exclusion is not allowable for New York State estate tax purposes.

To qualify for the exclusion when a federal return is not required:

- 1 The land must be located within 25 miles of a metropolitan area, national park, or wilderness area, or within 10 miles of an Urban National Forest.
- 2 The land must have been owned by the decedent or a member of the decedent's family during the three-year period ending on the date of the decedent's death.
- 3 The land must be included in the decedent's New York gross estate.
- 4 The land must be subject to a qualified conservation easement granted by the decedent or a member of the decedent's family,

and the easement must be placed on the property no later than the date of the election.

- 5 The election to claim the exclusion must be made no later than the due date of the return, including extensions and once made the election is irrevocable.

A qualified conservation easement is a contribution of a qualified real property interest to a qualified organization exclusively for conservation purposes. The granting of a conservation easement does not prevent the property from qualifying for special use valuation.

Line 1 — Enter the date of death value of the land as reported on the appropriate schedule of the estate tax return, without reducing it for any mortgage outstanding. If the land was already subject to a qualifying conservation easement granted prior to the decedent's death, the value reported is the reduced value, and the date of death value of the previously granted easement is reported on line 2.

Line 2 — Enter the date of death value of any qualifying conservation easements granted prior to the decedent's death, whether granted by the decedent or someone else, provided: the value of the qualifying conservation easements is included in the amount on line 7; the value of the land is included in the decedent's estate; and the exclusion is elected for the land.

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Privacy notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department uses this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers is provided to certain state agencies, for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.

Computation of Exclusion for a Victim of Nazi Persecution

For estates of decedents dying before February 1, 2000

ET-419
(3/99)

Attach this completed form to the original or amended Form ET-90.

| Decedent's last name | First | Middle initial | Social security number | Date of death |
|----------------------|-------|----------------|------------------------|---------------|
| | | | | |

List below the item number and schedule on which the asset you are excluding is listed. Include a description of the asset and show the value used to report the asset (value on the date of death or alternate valuation date).

| Schedule and item no. | Description of asset | Value |
|----------------------------------------------------------------------------|----------------------|-------|
| | | |
| Total of property excluded (enter here and on line 33c of Form ET-90)..... | | |

Instructions

Qualifying estates

Estates of individuals who were victims of Nazi persecution qualify for the exclusion. Additionally, the estate of a surviving spouse or descendant of a victim qualifies under the limited conditions explained below. These provisions were effective April 28, 1998, and are deemed to have been in effect on or after April 1, 1963, the date of enactment of Article 26. Therefore, any estate that reported such assets as taxable and paid New York State estate tax on such assets may apply for a refund by filing an amended return (ET-90). This refund is subject to the statute of limitations for refunds under section 687 of the Tax Law.

Qualifying property

The exclusion applies to property that is required to be included in the federal gross estate, and would be included in the New York gross estate, except for this exclusion. Real property and tangible personal property with an actual situs outside New York State does not qualify for the exclusion.

Property qualifying for the exclusion includes the following:

The date of death value of any asset that was stolen or hidden from, or otherwise lost to a victim, or that a victim was otherwise deprived of, immediately prior to, during, or immediately after World War II, that was subsequently returned to the victim.

Insurance proceeds, payable under policies issued to a victim by European insurance companies, that were paid to, stolen or hidden from a victim, or that a victim was otherwise deprived of, immediately prior to, during, or immediately after World War II.

The amount paid to a victim during his or her lifetime for the value of assets that were stolen or hidden from a victim, or that a victim was otherwise deprived of, immediately prior to, during, or immediately after World War II.

The value of lifetime distributions made to the decedent because of his or her status as a victim of Nazi persecution.

Estates of a surviving spouse or descendant of a victim

The value of lifetime distributions made to a spouse of a victim or descendant of a victim may be excluded from the estate of the spouse or descendant, if the spouse or descendant of the victim of Nazi persecution was eligible for any federal or federally-assisted program that provides benefits or services based, in whole or in part, on need.

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Form **706**

(Rev. August 2005)

United States Estate (and Generation-Skipping Transfer) Tax Return

OMB No. 1545-0015

Department of the Treasury
Internal Revenue Service

Estate of a citizen or resident of the United States (see separate instructions).
To be filed for decedents dying after December 31, 2004, and before January 1, 2006.

| | | | | | | | | | |
|-------------------------------|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---|---------------|--------------------------------|-------------------------------------------------------------------------------------|
| Part 1.—Decedent and Executor | 1a | Decedent's first name and middle initial (and maiden name, if any) | | 1b | Decedent's last name | | 2 | Decedent's Social Security No. | |
| | 3a | County, state, and ZIP code, or foreign country, of legal residence (domicile) at time of death | | 3b | Year domicile established | 4 | Date of birth | 5 | Date of death |
| | 6a | Name of executor (see page 3 of the instructions) | | 6b Executor's address (number and street including apartment or suite no. or rural route; city, town, or post office; state; and ZIP code) and phone no. Phone no. () | | | | | |
| | 6c | Executor's social security number (see page 3 of the instructions) | | | | | | | |
| | 7a | Name and location of court where will was probated or estate administered | | | | | | 7b | Case number |
| | 8 | If decedent died testate, check here <input type="checkbox"/> and attach a certified copy of the will. | | | | | | 9 | If you extended the time to file this Form 706, check here <input type="checkbox"/> |
| 10 | If Schedule R-1 is attached, check here <input type="checkbox"/> | | | | | | | | |

| | | | | | | |
|-------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|--|--|
| Part 2.—Tax Computation | 1 | Total gross estate less exclusion (from Part 5, Recapitulation, page 3, item 12) | | 1 | | |
| | 2 | Total allowable deductions (from Part 5, Recapitulation, page 3, item 22) | | 2 | | |
| | 3a | Tentative taxable estate (before state death tax deduction) (subtract line 2 from line 1) | | 3a | | |
| | b | State death tax deduction | | 3b | | |
| | c | Taxable estate (subtract line 3b from line 3a) | | 3c | | |
| | 4 | Adjusted taxable gifts (total taxable gifts (within the meaning of section 2503) made by the decedent after December 31, 1976, other than gifts that are includible in decedent's gross estate (section 2001(b))) | | 4 | | |
| | 5 | Add lines 3c and 4 | | 5 | | |
| | 6 | Tentative tax on the amount on line 5 from Table A on page 4 of the instructions | | 6 | | |
| | 7 | Total gift tax payable with respect to gifts made by the decedent after December 31, 1976. Include gift taxes by the decedent's spouse for such spouse's share of split gifts (section 2513) only if the decedent was the donor of these gifts and they are includible in the decedent's gross estate (see instructions) | | 7 | | |
| | 8 | Gross estate tax (subtract line 7 from line 6) | | 8 | | |
| | 9 | Maximum unified credit (applicable credit amount) against estate tax | | 9 | | |
| | 10 | Adjustment to unified credit (applicable credit amount). (This adjustment may not exceed \$6,000. See page 5 of the instructions.) | | 10 | | |
| | 11 | Allowable unified credit (applicable credit amount) (subtract line 10 from line 9) | | 11 | | |
| | 12 | Subtract line 11 from line 8 (but do not enter less than zero) | | 12 | | |
| | 13 | Credit for foreign death taxes (from Schedule(s) P). (Attach Form(s) 706-CE.) | | 13 | | |
| | 14 | Credit for tax on prior transfers (from Schedule Q) | | 14 | | |
| 15 | Total credits (add lines 13 and 14) | | 15 | | | |
| 16 | Net estate tax (subtract line 15 from line 12) | | 16 | | | |
| 17 | Generation-skipping transfer taxes (from Schedule R, Part 2, line 10) | | 17 | | | |
| 18 | Total transfer taxes (add lines 16 and 17) | | 18 | | | |
| 19 | Prior payments. Explain in an attached statement | | 19 | | | |
| 20 | Balance due (or overpayment) (subtract line 19 from line 18) | | 20 | | | |

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer other than the executor is based on all information of which preparer has any knowledge.

Signature(s) of executor(s) _____ Date _____

Signature of preparer other than executor _____ Address (and ZIP code) _____ Date _____

Estate of:

Part 3—Elections by the Executor

Please check the "Yes" or "No" box for each question. (See instructions beginning on page 6.)

| | | Yes | No |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----|----|
| 1 Do you elect alternate valuation? | 1 | | |
| 2 Do you elect special-use valuation? If "Yes," you must complete and attach Schedule A-1. | 2 | | |
| 3 Do you elect to pay the taxes in installments as described in section 6166? If "Yes," you must attach the additional information described on page 9 of the instructions. | 3 | | |
| 4 Do you elect to postpone the part of the taxes attributable to a reversionary or remainder interest as described in section 6163? | 4 | | |

Part 4—General Information (Note: Please attach the necessary supplemental documents. You must attach the death certificate.)
(See instructions on page 10.)

Authorization to receive confidential tax information under Regs. sec. 601.504(b)(2)(i); to act as the estate's representative before the IRS; and to make written or oral presentations on behalf of the estate if return prepared by an attorney, accountant, or enrolled agent for the executor:

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------|------------------|
| Name of representative (print or type) | State | Address (number, street, and room or suite no., city, state, and ZIP code) | |
| I declare that I am the <input type="checkbox"/> attorney/ <input type="checkbox"/> certified public accountant/ <input type="checkbox"/> enrolled agent (you must check the applicable box) for the executor and prepared this return for the executor. I am not under suspension or disbarment from practice before the Internal Revenue Service and am qualified to practice in the state shown above. | | | |
| Signature | CAF number | Date | Telephone number |

1 Death certificate number and issuing authority (attach a copy of the death certificate to this return).

2 Decedent's business or occupation. If retired, check here ☐ and state decedent's former business or occupation.

3 Marital status of the decedent at time of death:

☐ Married☐ Widow or widower—Name, SSN, and date of death of deceased spouse ▶☐ Single☐ Legally separated☐ Divorced—Date divorce decree became final ▶

4a Surviving spouse's name

4b Social security number

4c Amount received (see page 10 of the instructions)

5 Individuals (other than the surviving spouse), trusts, or other estates who receive benefits from the estate (do not include charitable beneficiaries shown in Schedule O) (see instructions).

| Name of individual, trust, or estate receiving \$5,000 or more | Identifying number | Relationship to decedent | Amount (see instructions) |
|-----------------------------------------------------------------------------|--------------------|--------------------------|---------------------------|
| All unascertainable beneficiaries and those who receive less than \$5,000 ▶ | | | |

Total

Please check the "Yes" or "No" box for each question.

| | Yes | No |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 6 Does the gross estate contain any section 2044 property (qualified terminable interest property (QTIP) from a prior gift or estate) (see page 10 of the instructions)? | | |
| 7a Have Federal gift tax returns ever been filed? If "Yes," please attach copies of the returns, if available, and furnish the following information: | | |
| 7b Period(s) covered | | |
| 7c Internal Revenue office(s) where filed | | |

(continued on next page)

Part 4—General Information (*continued*)

| If you answer "Yes" to any of questions 8–16, you must attach additional information as described in the instructions. | | Yes | No |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 8a | Was there any insurance on the decedent's life that is not included on the return as part of the gross estate? | | |
| b | Did the decedent own any insurance on the life of another that is not included in the gross estate? | | |
| 9 | Did the decedent at the time of death own any property as a joint tenant with right of survivorship in which (a) one or more of the other joint tenants was someone other than the decedent's spouse, and (b) less than the full value of the property is included on the return as part of the gross estate? If "Yes," you must complete and attach Schedule E | | |
| 10 | Did the decedent, at the time of death, own any interest in a partnership or unincorporated business or any stock in an inactive or closely held corporation? | | |
| 11 | Did the decedent make any transfer described in section 2035, 2036, 2037, or 2038 (see the instructions for Schedule G beginning on page 13 of the separate instructions)? If "Yes," you must complete and attach Schedule G | | |
| 12a | Were there in existence at the time of the decedent's death any trusts created by the decedent during his or her lifetime? | | |
| b | Were there in existence at the time of the decedent's death any trusts not created by the decedent under which the decedent possessed any power, beneficial interest, or trusteeship? | | |
| c | Was the decedent receiving income from a trust created after October 22, 1986 by a parent or grandparent? If "Yes," was there a GST taxable termination (under section 2612) upon the death of the decedent? | | |
| d | If there was a GST taxable termination (under section 2612), attach a statement to explain. Provide a copy of the trust or will creating the trust, and give the name, address, and phone number of the current trustee(s). | | |
| 13 | Did the decedent ever possess, exercise, or release any general power of appointment? If "Yes," you must complete and attach Schedule H | | |
| 14 | Was the marital deduction computed under the transitional rule of Public Law 97-34, section 403(e)(3) (Economic Recovery Tax Act of 1981)? If "Yes," attach a separate computation of the marital deduction, enter the amount on item 20 of the Recapitulation, and note on item 20 "computation attached." | | |
| 15 | Was the decedent, immediately before death, receiving an annuity described in the "General" paragraph of the instructions for Schedule I? If "Yes," you must complete and attach Schedule I | | |
| 16 | Was the decedent ever the beneficiary of a trust for which a deduction was claimed by the estate of a pre-deceased spouse under section 2056(b)(7) and which is not reported on this return? If "Yes," attach an explanation | | |

Part 5—Recapitulation

| Item number | Gross estate | Alternate value | Value at date of death |
|-------------|-----------------------------------------------------------------------------------------------------------------------|-----------------|------------------------|
| 1 | Schedule A—Real Estate | 1 | |
| 2 | Schedule B—Stocks and Bonds | 2 | |
| 3 | Schedule C—Mortgages, Notes, and Cash | 3 | |
| 4 | Schedule D—Insurance on the Decedent's Life (attach Form(s) 712) | 4 | |
| 5 | Schedule E—Jointly Owned Property (attach Form(s) 712 for life insurance) | 5 | |
| 6 | Schedule F—Other Miscellaneous Property (attach Form(s) 712 for life insurance) | 6 | |
| 7 | Schedule G—Transfers During Decedent's Life (att. Form(s) 712 for life insurance) | 7 | |
| 8 | Schedule H—Powers of Appointment | 8 | |
| 9 | Schedule I—Annuities | 9 | |
| 10 | Total gross estate (add items 1 through 9) | 10 | |
| 11 | Schedule U—Qualified Conservation Easement Exclusion | 11 | |
| 12 | Total gross estate less exclusion (subtract item 11 from item 10). Enter here and on line 1 of Part 2—Tax Computation | 12 | |

| Item number | Deductions | Amount |
|-------------|--------------------------------------------------------------------------------------------------------|--------|
| 13 | Schedule J—Funeral Expenses and Expenses Incurred in Administering Property Subject to Claims | 13 |
| 14 | Schedule K—Debts of the Decedent | 14 |
| 15 | Schedule K—Mortgages and Liens | 15 |
| 16 | Total of items 13 through 15 | 16 |
| 17 | Allowable amount of deductions from item 16 (see the instructions for item 17 of the Recapitulation) | 17 |
| 18 | Schedule L—Net Losses During Administration | 18 |
| 19 | Schedule L—Expenses Incurred in Administering Property Not Subject to Claims | 19 |
| 20 | Schedule M—Bequests, etc., to Surviving Spouse | 20 |
| 21 | Schedule O—Charitable, Public, and Similar Gifts and Bequests | 21 |
| 22 | Total allowable deductions (add items 17 through 21). Enter here and on line 2 of the Tax Computation. | 22 |

Estate of:

SCHEDULE A—Real Estate

- For jointly owned property that must be disclosed on Schedule E, see the instructions on the reverse side of Schedule E.
- Real estate that is part of a sole proprietorship should be shown on Schedule F.
- Real estate that is included in the gross estate under section 2035, 2036, 2037, or 2038 should be shown on Schedule G.
- Real estate that is included in the gross estate under section 2041 should be shown on Schedule H.
- If you elect section 2032A valuation, you must complete Schedule A and Schedule A-1.

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------|-------------|--------------------------|-----------------|------------------------|
| 1 | | | | |
| Total from continuation schedules or additional sheets attached to this schedule . . . | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 1.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
(See the instructions on the reverse side.)

Instructions for Schedule A—Real Estate

If the total gross estate contains any real estate, you must complete Schedule A and file it with the return. On Schedule A, list real estate the decedent owned or had contracted to purchase. Number each parcel in the left-hand column.

Describe the real estate in enough detail so that the IRS can easily locate it for inspection and valuation. For each parcel of real estate, report the area and, if the parcel is improved, describe the improvements. For city or town property, report the street and number, ward, subdivision, block and lot, etc. For rural property, report the township, range, landmarks, etc.

If any item of real estate is subject to a mortgage for which the decedent's estate is liable; that is, if the indebtedness may be charged against other property of the estate that is not subject to that mortgage, or if the decedent was personally liable for that mortgage, you must report the full value of the property in the value

column. Enter the amount of the mortgage under "Description" on this schedule. The unpaid amount of the mortgage may be deducted on Schedule K.

If the decedent's estate is NOT liable for the amount of the mortgage, report only the value of the equity of redemption (or value of the property less the indebtedness) in the value column as part of the gross estate. Do not enter any amount less than zero. Do not deduct the amount of indebtedness on Schedule K.

Also list on Schedule A real property the decedent contracted to purchase. Report the full value of the property and not the equity in the value column. Deduct the unpaid part of the purchase price on Schedule K.

Report the value of real estate without reducing it for homestead or other exemption, or the value of dower, curtesy, or a statutory estate created instead of dower or curtesy.

Explain how the reported values were determined and attach copies of any appraisals.

Schedule A Examples

In this example, alternate valuation is not adopted; the date of death is January 1, 2005.

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------|------------------------|
| 1 | House and lot, 1921 William Street NW, Washington, DC (lot 6, square 481). Rent of \$2,700 due at end of each quarter, February 1, May 1, August 1, and November 1. Value based on appraisal, copy of which is attached | | | \$108,000 |
| | Rent due on item 1 for quarter ending November 1, 2004, but not collected at date of death | | | 2,700 |
| | Rent accrued on item 1 for November and December 2004 | | | 1,800 |
| 2 | House and lot, 304 Jefferson Street, Alexandria, VA (lot 18, square 40). Rent of \$600 payable monthly. Value based on appraisal, copy of which is attached. | | | 96,000 |
| | Rent due on item 2 for December 2004, but not collected at date of death | | | 600 |

In this example, alternate valuation is adopted; the date of death is January 1, 2005.

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------|------------------------|
| 1 | House and lot, 1921 William Street NW, Washington, DC (lot 6, square 481). Rent of \$2,700 due at end of each quarter, February 1, May 1, August 1, and November 1. Value based on appraisal, copy of which is attached. Not disposed of within 6 months following death | 7/1/05 | 90,000 | \$108,000 |
| | Rent due on item 1 for quarter ending November 1, 2004, but not collected until February 1, 2005 | 2/1/05 | 2,700 | 2,700 |
| | Rent accrued on item 1 for November and December 2004, collected on February 1, 2005 | 2/1/05 | 1,800 | 1,800 |
| 2 | House and lot, 304 Jefferson Street, Alexandria, VA (lot 18, square 40). Rent of \$600 payable monthly. Value based on appraisal, copy of which is attached. Property exchanged for farm on May 1, 2005 | 5/1/05 | 90,000 | 96,000 |
| | Rent due on item 2 for December 2004, but not collected until February 1, 2005. | 2/1/05 | 600 | 600 |

Instructions for Schedule A-1. Section 2032A Valuation

The election to value certain farm and closely held business property at its special-use value is made by checking "Yes" to line 2 of Part 3, Elections by the Executor, Form 706. Schedule A-1 is used to report the additional information that must be submitted to support this election. In order to make a valid election, you must complete Schedule A-1 and attach all of the required statements and appraisals.

For definitions and additional information concerning special-use valuation, see section 2032A and the related regulations.

Part 1. Type of Election

Estate and GST Tax Elections. If you elect special-use valuation for the estate tax, you must also elect special-use valuation for the GST tax and *vice versa*.

You must value each specific property interest at the same value for GST tax purposes that you value it at for estate tax purposes.

Protective Election. To make the protective election described in the separate instructions for line 2 of Part 3, Elections by the Executor, you must check this box, enter the decedent's name and social security number in the spaces provided at the top of Schedule A-1, and complete line 1 and column A of lines 3 and 4 of Part 2. For purposes of the protective election, list on line 3 all of the real property that passes to the qualified heirs even though some of the property will be shown on line 2 when the additional notice of election is subsequently filed. You need not complete columns B–D of lines 3 and 4. You need not complete any other line entries on Schedule A-1. Completing Schedule A-1 as described above constitutes a Notice of Protective Election as described in Regulations section 20.2032A-8(b).

Part 2. Notice of Election

Line 10. Because the special-use valuation election creates a potential tax liability for the recapture tax of section 2032A(c), you must list each person who receives an interest in the specially valued property on Schedule A-1. If there are more than eight persons who receive interests, use an additional sheet that follows the format of line 10. In the columns "Fair market value" and "Special-use value," you should enter the total respective values of all the specially valued property interests received by each person.

GST Tax Savings

To compute the additional GST tax due upon disposition (or cessation of qualified use) of the property, each "skip person" (as defined in the instructions to Schedule R) who receives an interest in the specially valued property must know the total GST tax savings on all of the interests in specially valued property received. This GST tax savings is the difference between the total GST tax that was imposed on all of the interests in specially valued property received by the skip person valued at their special-use value and the total GST tax that would have been imposed on the same interests received by the skip person had they been valued at their fair market value.

Because the GST tax depends on the executor's allocation of the GST exemption and the grandchild exclusion, the skip person who receives the interests is unable to compute this GST tax savings. Therefore, for each skip person who receives an interest in specially valued property, you must attach worksheets showing the total GST tax savings attributable to all of that person's interests in specially valued property.

How To Compute the GST Tax Savings. Before computing each skip person's GST tax savings, you must complete Schedules R and R-1 for the entire estate (using the special-use values).

For each skip person, you must complete two Schedules R (Parts 2 and 3 only) as worksheets, one showing the interests in

specially valued property received by the skip person at their special-use value and one showing the same interests at their fair market value.

If the skip person received interests in specially valued property that were shown on Schedule R-1, show these interests on the Schedule R, Parts 2 and 3 worksheets, as appropriate. Do not use Schedule R-1 as a worksheet.

Completing the Special-Use Value Worksheets. On lines 2–4 and 6, enter -0-.

Completing the Fair Market Value Worksheets. *Lines 2 and 3, fixed taxes and other charges.* If valuing the interests at their fair market value (instead of special-use value) causes any of these taxes and charges to increase, enter the increased amount (only) on these lines and attach an explanation of the increase. Otherwise, enter -0-.

Line 6—GST exemption. If you completed line 10 of Schedule R, Part 1, enter on line 6 the amount shown for the skip person on the line 10 special-use allocation schedule you attached to Schedule R. If you did not complete line 10 of Schedule R, Part 1, enter -0- on line 6.

Total GST Tax Savings. For each skip person, subtract the tax amount on line 10, Part 2 of the special-use value worksheet from the tax amount on line 10, Part 2 of the fair market value worksheet. This difference is the skip person's total GST tax savings.

Part 3. Agreement to Special Valuation Under Section 2032A

The agreement to special valuation by persons with an interest in property is required under section 2032A(a)(1)(B) and (d)(2) and must be signed by all parties who have any interest in the property being valued based on its qualified use as of the date of the decedent's death.

An interest in property is an interest that, as of the date of the decedent's death, can be asserted under applicable local law so as to affect the disposition of the specially valued property by the estate. Any person who at the decedent's death has any such interest in the property, whether present or future, or vested or contingent, must enter into the agreement. Included are owners of remainder and executory interests; the holders of general or special powers of appointment; beneficiaries of a gift over in default of exercise of any such power; joint tenants and holders of similar undivided interests when the decedent held only a joint or undivided interest in the property or when only an undivided interest is specially valued; and trustees of trusts and representatives of other entities holding title to, or holding any interests in the property. An heir who has the power under local law to caveat (challenge) a will and thereby affect disposition of the property is not, however, considered to be a person with an interest in property under section 2032A solely by reason of that right. Likewise, creditors of an estate are not such persons solely by reason of their status as creditors.

If any person required to enter into the agreement either desires that an agent act for him or her or cannot legally bind himself or herself due to infancy or other incompetency, or due to death before the election under section 2032A is timely exercised, a representative authorized by local law to bind the person in an agreement of this nature may sign the agreement on his or her behalf.

The Internal Revenue Service will contact the agent designated in the agreement on all matters relating to continued qualification under section 2032A of the specially valued real property and on all matters relating to the special lien arising under section 6324B. It is the duty of the agent as attorney-in-fact for the parties with interests in the specially valued property to furnish the IRS with any requested information and to notify the IRS of any disposition or cessation of qualified use of any part of the property.

Checklist for Section 2032A Election.

If you are going to make the special-use valuation election on Schedule A-1, please use this checklist to ensure that you are providing everything necessary to make a valid election.

To have a valid special-use valuation election under section 2032A, you must file, in addition to the Federal estate tax return, **(a)** a notice of election (Schedule A-1, Part 2), and **(b)** a fully executed agreement (Schedule A-1, Part 3). You must include certain information in the notice of election. To ensure that the notice of election includes all of the information required for a valid election, use the following checklist. The checklist is for your use only. Do not file it with the return.

1. Does the notice of election include the decedent's name and social security number as they appear on the estate tax return?
2. Does the notice of election include the relevant qualified use of the property to be specially valued?
3. Does the notice of election describe the items of real property shown on the estate tax return that are to be specially valued and identify the property by the Form 706 schedule and item number?
4. Does the notice of election include the fair market value of the real property to be specially valued and also include its value based on the qualified use (determined without the adjustments provided in section 2032A(b)(3)(B))?
5. Does the notice of election include the adjusted value (as defined in section 2032A(b)(3)(B)) of **(a)** all real property that both passes from the decedent and is used in a qualified use, without regard to whether it is to be specially valued, and **(b)** all real property to be specially valued?
6. Does the notice of election include **(a)** the items of personal property shown on the estate tax return that pass from the decedent to a qualified heir and that are used in qualified use and **(b)** the total value of such personal property adjusted under section 2032A(b)(3)(B)?
7. Does the notice of election include the adjusted value of the gross estate? (See section 2032A(b)(3)(A).)
8. Does the notice of election include the method used to determine the special use value?
9. Does the notice of election include copies of written appraisals of the fair market value of the real property?
10. Does the notice of election include a statement that the decedent and/or a member of his or her family has owned all of the specially valued property for at

least 5 years of the 8 years immediately preceding the date of the decedent's death?

11. Does the notice of election include a statement as to whether there were any periods during the 8-year period preceding the decedent's date of death during which the decedent or a member of his or her family did not **(a)** own the property to be specially valued, **(b)** use it in a qualified use, or **(c)** materially participate in the operation of the farm or other business? (See section 2032A(e)(6).)

12. Does the notice of election include, for each item of specially valued property, the name of every person taking an interest in that item of specially valued property and the following information about each such person: **(a)** the person's address, **(b)** the person's taxpayer identification number, **(c)** the person's relationship to the decedent, and **(d)** the value of the property interest passing to that person based on both fair market value and qualified use?

13. Does the notice of election include affidavits describing the activities constituting material participation and the identity of the material participants?

14. Does the notice of election include a legal description of each item of specially valued property?

(In the case of an election made for qualified woodlands, the information included in the notice of election must include the reason for entitlement to the woodlands election.)

Any election made under section 2032A will not be valid unless a properly executed agreement (Schedule A-1, Part 3) is filed with the estate tax return. To ensure that the agreement satisfies the requirements for a valid election, use the following checklist.

1. Has the agreement been signed by each and every qualified heir having an interest in the property being specially valued?
2. Has every qualified heir expressed consent to personal liability under section 2032A(c) in the event of an early disposition or early cessation of qualified use?
3. Is the agreement that is actually signed by the qualified heirs in a form that is binding on all of the qualified heirs having an interest in the specially valued property?
4. Does the agreement designate an agent to act for the parties to the agreement in all dealings with the IRS on matters arising under section 2032A?
5. Has the agreement been signed by the designated agent and does it give the address of the agent?

Estate of:

SCHEDULE A-1—Section 2032A Valuation

Part 1. Type of Election (Before making an election, see the checklist on page 7.):

- ☐ **Protective election** (Regulations section 20.2032A-8(b)). Complete Part 2, line 1, and column A of lines 3 and 4. (See instructions.)
- ☐ **Regular election.** Complete all of Part 2 (including line 11, if applicable) and Part 3. (See instructions.)

Before completing Schedule A-1, see the checklist on page 7 for the information and documents that must be included to make a valid election.

The election is not valid unless the agreement (i.e., Part 3—Agreement to Special Valuation Under Section 2032A)—

- Is signed by each and every qualified heir with an interest in the specially valued property, and
- Is attached to this return when it is filed.

Part 2. Notice of Election (Regulations section 20.2032A-8(a)(3))

Note. All real property entered on lines 2 and 3 must also be entered on Schedules A, E, F, G, or H, as applicable.

- 1 Qualified use—check one ☐ Farm used for farming, or
☐ Trade or business other than farming
- 2 Real property used in a qualified use, passing to qualified heirs, and to be specially valued on this Form 706.

| A Schedule and item number from Form 706 | B Full value (without section 2032A(b)(3)(B) adjustment) | C Adjusted value (with section 2032A(b)(3)(B) adjustment) | D Value based on qualified use (without section 2032A(b)(3)(B) adjustment) |
|------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| | | | |
| Totals | | | |

Totals.

Attach a legal description of all property listed on line 2.

Attach copies of appraisals showing the column B values for all property listed on line 2.

- 3 Real property used in a qualified use, passing to qualified heirs, but not specially valued on this Form 706.

| A Schedule and item number from Form 706 | B Full value (without section 2032A(b)(3)(B) adjustment) | C Adjusted value (with section 2032A(b)(3)(B) adjustment) | D Value based on qualified use (without section 2032A(b)(3)(B) adjustment) |
|------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| | | | |
| Total | | | |

Totals

If you checked "Regular election," you must attach copies of appraisals showing the column B values for all property listed on line 3.

(continued on next page)

Subtotal.

Total adjusted value

6 Attach a description of the method used to determine the special value based on qualified use.

☐ Yes ☐ No

| Yes | No |
|-----|----|
| | |
| | |
| | |

If "Yes" to any of the above, you must attach a statement listing the periods. If applicable, describe whether the exceptions of sections 2032A(b)(4) or (5) are met.

10 Persons holding interests. Enter the requested information for each party who received any interest in the specially valued property. (Each of the qualified heirs receiving an interest in the property must sign the agreement, and the agreement must be filed with this return.)

| Name | | Address | | |
|--------------------|--------------------------|-------------------|-------------------|--|
| A | | | | |
| B | | | | |
| C | | | | |
| D | | | | |
| E | | | | |
| F | | | | |
| G | | | | |
| H | | | | |
| Identifying number | Relationship to decedent | Fair market value | Special-use value | |
| A | | | | |
| B | | | | |
| C | | | | |
| D | | | | |
| E | | | | |
| F | | | | |
| G | | | | |
| H | | | | |

You must attach a computation of the GST tax savings attributable to direct skips for each person listed above who is a skip person. (See instructions.)

11 Woodlands election. Check here ☐ if you wish to make a Woodlands election as described in section 2032A(e)(13). Enter the schedule and item numbers from Form 706 of the property for which you are making this election . You must attach a statement explaining why you are entitled to make this election. The IRS may issue regulations that require more information to substantiate this election. You will be notified by the IRS if you must supply further information.

Part 3. Agreement to Special Valuation Under Section 2032A

| | | |
|-------------------|----------------------|------------------------------------------|
| Estate of: | Date of Death | Decedent's Social Security Number |
| | | |

There cannot be a valid election unless:

- The agreement is executed by each and every one of the qualified heirs, and
- The agreement is included with the estate tax return when the estate tax return is filed.

We (list all qualified heirs and other persons having an interest in the property required to sign this agreement)

_____ ,
being all the qualified heirs and _____ ,

being all other parties having interests in the property which is qualified real property and which is valued under section 2032A of the Internal Revenue Code, do hereby approve of the election made by _____ ,
Executor/Administrator of the estate of _____ ,

pursuant to section 2032A to value said property on the basis of the qualified use to which the property is devoted and do hereby enter into this agreement pursuant to section 2032A(d).

The undersigned agree and consent to the application of subsection (c) of section 2032A of the Code with respect to all the property described on line 2 of Part 2 of Schedule A-1 of Form 706, attached to this agreement. More specifically, the undersigned heirs expressly agree and consent to personal liability under subsection (c) of 2032A for the additional estate and GST taxes imposed by that subsection with respect to their respective interests in the above-described property in the event of certain early dispositions of the property or early cessation of the qualified use of the property. It is understood that if a qualified heir disposes of any interest in qualified real property to any member of his or her family, such member may thereafter be treated as the qualified heir with respect to such interest upon filing a Form 706-A and a new agreement.

The undersigned interested parties who are not qualified heirs consent to the collection of any additional estate and GST taxes imposed under section 2032A(c) of the Code from the specially valued property.

If there is a disposition of any interest which passes, or has passed to him or her, or if there is a cessation of the qualified use of any specially valued property which passes or passed to him or her, each of the undersigned heirs agrees to file a Form 706-A, United States Additional Estate Tax Return, and pay any additional estate and GST taxes due within 6 months of the disposition or cessation.

It is understood by all interested parties that this agreement is a condition precedent to the election of special use valuation under section 2032A of the Code and must be executed by every interested party even though that person may not have received the estate (or GST) tax benefits or be in possession of such property.

Each of the undersigned understands that by making this election, a lien will be created and recorded pursuant to section 6324B of the Code on the property referred to in this agreement for the adjusted tax differences with respect to the estate as defined in section 2032A(c)(2)(C).

As the interested parties, the undersigned designate the following individual as their agent for all dealings with the Internal Revenue Service concerning the continued qualification of the specially valued property under section 2032A of the Code and on all issues regarding the special lien under section 6324B. The agent is authorized to act for the parties with respect to all dealings with the Service on matters affecting the qualified real property described earlier. This authority includes the following:

- To receive confidential information on all matters relating to continued qualification under section 2032A of the specially valued real property and on all matters relating to the special lien arising under section 6324B;
- To furnish the Internal Revenue Service with any requested information concerning the property;
- To notify the Internal Revenue Service of any disposition or cessation of qualified use of any part of the property;
- To receive, but not to endorse and collect, checks in payment of any refund of Internal Revenue taxes, penalties, or interest;
- To execute waivers (including offers of waivers) of restrictions on assessment or collection of deficiencies in tax and waivers of notice of disallowance of a claim for credit or refund; and
- To execute closing agreements under section 7121.

(continued on next page)

Part 3. Agreement to Special Valuation Under Section 2032A (Continued)

| | | |
|-------------------|----------------------|------------------------------------------|
| Estate of: | Date of Death | Decedent's Social Security Number |
| | | |

- Other acts (specify) ► _____

By signing this agreement, the agent agrees to provide the Internal Revenue Service with any requested information concerning this property and to notify the Internal Revenue Service of any disposition or cessation of the qualified use of any part of this property.

| | | |
|----------------------|------------------|----------------|
| Name of Agent | Signature | Address |
|----------------------|------------------|----------------|

The property to which this agreement relates is listed in Form 706, United States Estate (and Generation-Skipping Transfer) Tax Return, and in the Notice of Election, along with its fair market value according to section 2031 of the Code and its special use value according to section 2032A. The name, address, social security number, and interest (including the value) of each of the undersigned in this property are as set forth in the attached Notice of Election.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands at _____,

this _____ day of _____.

SIGNATURES OF EACH OF THE QUALIFIED HEIRS:

| | |
|-----------------------------|-----------------------------|
| Signature of qualified heir | Signature of qualified heir |
| Signature of qualified heir | Signature of qualified heir |
| Signature of qualified heir | Signature of qualified heir |
| Signature of qualified heir | Signature of qualified heir |
| Signature of qualified heir | Signature of qualified heir |
| Signature of qualified heir | Signature of qualified heir |

Signatures of other interested parties

Signatures of other interested parties

Estate of: _____

SCHEDULE B—Stocks and Bonds*(For jointly owned property that must be disclosed on Schedule E, see the instructions for Schedule E.)*

| Item number | Description including face amount of bonds or number of shares and par value for identification. Give CUSIP number. If closely held entity, give EIN. | Unit value | Alternate valuation date | Alternate value | Value at date of death |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------|-----------------|------------------------|
| 1 | CUSIP number | | | | |
| | | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule . . . | | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 2.) . . . | | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)

(The instructions to Schedule B are in the separate instructions.)

Estate of: _____

SCHEDULE C—Mortgages, Notes, and Cash*(For jointly owned property that must be disclosed on Schedule E, see the instructions for Schedule E.)*

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|------------------------------------------------------------------------------------------|-------------|--------------------------|-----------------|------------------------|
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule . . . | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 3.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
 (See the instructions on the reverse side.)

Instructions for Schedule C— Mortgages, Notes, and Cash

Complete Schedule C and file it with your return if the total gross estate contains any:

- mortgages,
- notes, or
- cash.

List on Schedule C:

- Mortgages and notes payable **to the decedent** at the time of death.
- Cash the decedent had at the date of death.

Do not list on Schedule C:

- Mortgages and notes payable **by the decedent**. (If these are deductible, list them on Schedule K.)

List the items on Schedule C in the following order:

1. mortgages,
2. promissory notes,
3. contracts by decedent to sell land,
4. cash in possession, and
5. cash in banks, savings and loan associations, and other types of financial organizations.

What to enter in the "Description" column:

For mortgages, list:

- face value,
- unpaid balance,
- date of mortgage,
- date of maturity,
- name of maker,
- property mortgaged,
- interest dates, and
- interest rate.

Example to enter in "Description" column:

"Bond and mortgage of \$50,000, unpaid balance: \$24,000; dated: January 1, 1985; John Doe to Richard Roe; premises: 22 Clinton Street, Newark, NJ; due: January 1, 2005; interest payable at 10% a year—January 1 and July 1."

For promissory notes, list:

- in the same way as mortgages.

For contracts by the decedent to sell land, list:

- name of purchaser,
- contract date,
- property description,
- sale price,
- initial payment,
- amounts of installment payment,
- unpaid balance of principal, and
- interest rate.

For cash in possession, list:

- such cash separately from bank deposits.

For cash in banks, savings and loan associations, and other types of financial organizations, list:

- name and address of each financial organization,
- amount in each account,
- serial or account number,
- nature of account—checking, savings, time deposit, etc., and
- unpaid interest accrued from date of last interest payment to the date of death.

Note. If you obtain statements from the financial organizations, keep them for IRS inspection.

Estate of: _____

SCHEDULE D—Insurance on the Decedent's Life

You must list all policies on the life of the decedent and attach a Form 712 for each policy.

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------------|-------------|--------------------------|-----------------|------------------------|
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 4.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
 (See the instructions on the reverse side.)

Instructions for Schedule D—Insurance on the Decedent's Life

If you are required to file Form 706 and there was any insurance on the decedent's life, whether or not included in the gross estate, you must complete Schedule D and file it with the return.

Insurance you must include on Schedule D. Under section 2042 you must include in the gross estate:

- Insurance on the decedent's life receivable by or for the benefit of the estate; and
- Insurance on the decedent's life receivable by beneficiaries other than the estate, as described below.

The term "insurance" refers to life insurance of every description, including death benefits paid by fraternal beneficiary societies operating under the lodge system, and death benefits paid under no-fault automobile insurance policies if the no-fault insurer was unconditionally bound to pay the benefit in the event of the insured's death.

Insurance in favor of the estate. Include on Schedule D the full amount of the proceeds of insurance on the life of the decedent receivable by the executor or otherwise payable to or for the benefit of the estate. Insurance in favor of the estate includes insurance used to pay the estate tax, and any other taxes, debts, or charges that are enforceable against the estate. The manner in which the policy is drawn is immaterial as long as there is an obligation, legally binding on the beneficiary, to use the proceeds to pay taxes, debts, or charges. You must include the full amount even though the premiums or other consideration may have been paid by a person other than the decedent.

Insurance receivable by beneficiaries other than the estate. Include on Schedule D the proceeds of all insurance on the life of the decedent not receivable by or for the benefit of the decedent's estate if the decedent possessed at death any of the incidents of ownership, exercisable either alone or in conjunction with any person.

Incidents of ownership in a policy include:

- The right of the insured or estate to its economic benefits;
- The power to change the beneficiary;

- The power to surrender or cancel the policy;
- The power to assign the policy or to revoke an assignment;
- The power to pledge the policy for a loan;
- The power to obtain from the insurer a loan against the surrender value of the policy; and
- A reversionary interest if the value of the reversionary interest was more than 5% of the value of the policy immediately before the decedent died. (An interest in an insurance policy is considered a reversionary interest if, for example, the proceeds become payable to the insured's estate or payable as the insured directs if the beneficiary dies before the insured.)

Life insurance not includible in the gross estate under section 2042 may be includible under some other section of the Code. For example, a life insurance policy could be transferred by the decedent in such a way that it would be includible in the gross estate under section 2036, 2037, or 2038. (See the instructions to Schedule G for a description of these sections.)

Completing the Schedule

You must list every policy of insurance on the life of the decedent, whether or not it is included in the gross estate.

Under "Description" list:

- Name of the insurance company and
- Number of the policy.

For every policy of life insurance listed on the schedule, you must request a statement on Form 712, Life Insurance Statement, from the company that issued the policy. Attach the Form 712 to the back of Schedule D.

If the policy proceeds are paid in one sum, enter the net proceeds received (from Form 712, line 24) in the value (and alternate value) columns of Schedule D. If the policy proceeds are not paid in one sum, enter the value of the proceeds as of the date of the decedent's death (from Form 712, line 25).

If part or all of the policy proceeds are not included in the gross estate, you must explain why they were not included.

Estate of:

SCHEDULE E—Jointly Owned Property

(If you elect section 2032A valuation, you must complete Schedule E and Schedule A-1.)

PART 1.—Qualified Joint Interests—Interests Held by the Decedent and His or Her Spouse as the Only Joint Tenants (Section 2040(b)(2))

| Item number | Description For securities, give CUSIP number. | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------|--------------------------|-----------------|------------------------|
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| 1a | Totals | 1a | | |
| 1b | Amounts included in gross estate (one-half of line 1a) | 1b | | |

PART 2.—All Other Joint Interests**2a** State the name and address of each surviving co-tenant. If there are more than three surviving co-tenants, list the additional co-tenants on an attached sheet.

| Name | Address (number and street, city, state, and ZIP code) |
|------|--------------------------------------------------------|
| A. | |
| B. | |
| C. | |

| Item number | Enter letter for co-tenant | Description (including alternate valuation date if any). For securities, give CUSIP number. | Percentage includible | Includible alternate value | Includible value at date of death |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------|----------------------------|-----------------------------------|
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | | |
| 2b | Total other joint interests | 2b | | | |
| 3 | Total includible joint interests (add lines 1b and 2b). Also enter on Part 5, Recapitulation, page 3, at item 5 | | | 3 | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
(See the instructions on the reverse side.)

Instructions for Schedule E—Jointly Owned Property

If you are required to file Form 706, you must complete Schedule E and file it with the return if the decedent owned any joint property at the time of death, whether or not the decedent's interest is includible in the gross estate.

Enter on this schedule all property of whatever kind or character, whether real estate, personal property, or bank accounts, in which the decedent held at the time of death an interest either as a joint tenant with right to survivorship or as a tenant by the entirety.

Do not list on this schedule property that the decedent held as a tenant in common, but report the value of the interest on Schedule A if real estate, or on the appropriate schedule if personal property. Similarly, community property held by the decedent and spouse should be reported on the appropriate Schedules A through I. The decedent's interest in a partnership should not be entered on this schedule unless the partnership interest itself is jointly owned. Solely owned partnership interests should be reported on Schedule F, "Other Miscellaneous Property."

Part 1—Qualified joint interests held by decedent and spouse. Under section 2040(b)(2), a joint interest is a qualified joint interest if the decedent and the surviving spouse held the interest as:

- Tenants by the entirety, or
- Joint tenants with right of survivorship if the decedent and the decedent's spouse are the only joint tenants.

Interests that meet either of the two requirements above should be entered in Part 1. Joint interests that do not meet either of the two requirements above should be entered in Part 2.

Under "Description," describe the property as required in the instructions for Schedules A, B, C, and F for the type of property involved. For example, jointly held stocks and bonds should be described using the rules given in the instructions to Schedule B.

Under "Alternate value" and "Value at date of death," enter the full value of the property.

Note. You cannot claim the special treatment under section 2040(b) for property held jointly by a decedent and a surviving spouse who is not a U.S. citizen. You must report these joint interests on Part 2 of Schedule E, not Part 1.

Part 2—Other joint interests. All joint interests that were not entered in Part 1 must be entered in Part 2.

For each item of property, enter the appropriate letter A, B, C, etc., from line 2a to indicate the name and address of the surviving co-tenant.

Under "Description," describe the property as required in the instructions for Schedules A, B, C, and F for the type of property involved.

In the "Percentage includible" column, enter the percentage of the total value of the property that you intend to include in the gross estate.

Generally, you must include the full value of the jointly owned property in the gross estate. However, the full value should not be included if you can show that a part of the property originally belonged to the other tenant or tenants and was never received or acquired by the other tenant or tenants from the decedent for less than adequate and full consideration in money or money's worth, or unless you can show that any part of the property was acquired with consideration originally belonging to the surviving joint tenant or tenants. In this case, you may exclude from the value of the property an amount proportionate to the consideration furnished by the other tenant or tenants. Relinquishing or promising to relinquish dower, curtesy, or statutory estate created instead of dower or curtesy, or other marital rights in the decedent's property or estate is not consideration in money or money's worth. See the Schedule A instructions for the value to show for real property that is subject to a mortgage.

If the property was acquired by the decedent and another person or persons by gift, bequest, devise, or inheritance as joint tenants, and their interests are not otherwise specified by law, include only that part of the value of the property that is figured by dividing the full value of the property by the number of joint tenants.

If you believe that less than the full value of the entire property is includible in the gross estate for tax purposes, you must establish the right to include the smaller value by attaching proof of the extent, origin, and nature of the decedent's interest and the interest(s) of the decedent's co-tenant or co-tenants.

In the "Includible alternate value" and "Includible value at date of death" columns, you should enter only the values that you believe are includible in the gross estate.

Estate of:

SCHEDULE F—Other Miscellaneous Property Not Reportable Under Any Other Schedule

(For jointly owned property that must be disclosed on Schedule E, see the instructions for Schedule E.)
 (If you elect section 2032A valuation, you must complete Schedule F and Schedule A-1.)

| | Yes | No |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1 Did the decedent at the time of death own any articles of artistic or collectible value in excess of \$3,000 or any collections whose artistic or collectible value combined at date of death exceeded \$10,000? If "Yes," submit full details on this schedule and attach appraisals. | | |
| 2 Has the decedent's estate, spouse, or any other person, received (or will receive) any bonus or award as a result of the decedent's employment or death? If "Yes," submit full details on this schedule. | | |
| 3 Did the decedent at the time of death have, or have access to, a safe deposit box? If "Yes," state location, and if held in joint names of decedent and another, state name and relationship of joint depositor. | | |

If any of the contents of the safe deposit box are omitted from the schedules in this return, explain fully why omitted.

| Item number | Description For securities, give CUSIP number. | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------|-----------------|------------------------|
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 6.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
 (See the instructions on the reverse side.)

Instructions for Schedule F—Other Miscellaneous Property

You must complete Schedule F and file it with the return.

On Schedule F, list all items that must be included in the gross estate that are not reported on any other schedule, including:

- Debts due the decedent (other than notes and mortgages included on Schedule C);
- Interests in business;
- Any interest in an Archer medical savings account (MSA) or Health Savings Account (HSA), unless such interest passes to the surviving spouse; and
- Insurance on the life of another (obtain and attach Form 712, Life Insurance Statement, for each policy).

Note (for single premium or paid-up policies). In certain situations, for example where the surrender value of the policy exceeds its replacement cost, the true economic value of the policy will be greater than the amount shown on line 59 of Form 712. In these situations, you should report the full economic value of the policy on Schedule F. See Rev. Rul. 78-137, 1978-1 C.B. 280 for details.

- Section 2044 property (see *Decedent Who Was a Surviving Spouse* below);
- Claims (including the value of the decedent's interest in a claim for refund of income taxes or the amount of the refund actually received);
- Rights;
- Royalties;
- Leaseholds;
- Judgments;
- Reversionary or remainder interests;
- Shares in trust funds (attach a copy of the trust instrument);
- Household goods and personal effects, including wearing apparel;
- Farm products and growing crops;
- Livestock;
- Farm machinery; and
- Automobiles.

If the decedent owned any interest in a partnership or unincorporated business, attach a statement of assets and liabilities for the valuation date and for the 5 years before the valuation date. Also attach statements of the net earnings for the same 5 years. Be sure to include the EIN of the entity. You must

account for goodwill in the valuation. In general, furnish the same information and follow the methods used to value close corporations. See the instructions for Schedule B.

All partnership interests should be reported on Schedule F unless the partnership interest, itself, is jointly owned. Jointly owned partnership interests should be reported on Schedule E.

If real estate is owned by the sole proprietorship, it should be reported on Schedule F and not on Schedule A. Describe the real estate with the same detail required for Schedule A.

Line 1. If the decedent owned at the date of death articles with artistic or intrinsic value (e.g., jewelry, furs, silverware, books, statuary, vases, oriental rugs, coin or stamp collections), check the "Yes" box on line 1 and provide full details. If any one article is valued at more than \$3,000, or any collection of similar articles is valued at more than \$10,000, attach an appraisal by an expert under oath and the required statement regarding the appraiser's qualifications (see Regulations section 20.2031-6(b)).

Decedent Who Was a Surviving Spouse

If the decedent was a surviving spouse, he or she may have received qualified terminable interest property (QTIP) from the predeceased spouse for which the marital deduction was elected either on the predeceased spouse's estate tax return or on a gift tax return, Form 709. The election was available for gifts made and decedents dying after December 31, 1981. List such property on Schedule F.

If this election was made and the surviving spouse retained his or her interest in the QTIP property at death, the full value of the QTIP property is includible in his or her estate, even though the qualifying income interest terminated at death. It is valued as of the date of the surviving spouse's death, or alternate valuation date, if applicable. Do not reduce the value by any annual exclusion that may have applied to the transfer creating the interest.

The value of such property included in the surviving spouse's gross estate is treated as passing from the surviving spouse. It therefore qualifies for the charitable and marital deductions on the surviving spouse's estate tax return if it meets the other requirements for those deductions.

For additional details, see Regulations section 20.2044-1.

Estate of:

SCHEDULE G—Transfers During Decedent's Life

(If you elect section 2032A valuation, you must complete Schedule G and Schedule A-1.)

| Item number | Description For securities, give CUSIP number. | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------|------------------------|
| A. | Gift tax paid by the decedent or the estate for all gifts made by the decedent or his or her spouse within 3 years before the decedent's death (section 2035(b)). | X X X X X | | |
| B. | Transfers includible under section 2035(a), 2036, 2037, or 2038: | | | |
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 7.) | | | | |

SCHEDULE H—Powers of Appointment

(Include "5 and 5 lapsing" powers (section 2041(b)(2)) held by the decedent.)

(If you elect section 2032A valuation, you must complete Schedule H and Schedule A-1.)

| Item number | Description | Alternate valuation date | Alternate value | Value at date of death |
|----------------------------------------------------------------------------------------------|-------------|--------------------------|-----------------|------------------------|
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 8.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
 (The instructions to Schedules G and H are in the separate instructions.)

Estate of: _____

SCHEDULE I—Annuities**Note.** Generally, no exclusion is allowed for the estates of decedents dying after December 31, 1984 (see page 15 of the instructions).

- A** Are you excluding from the decedent's gross estate the value of a lump-sum distribution described in section 2039(f)(2) (as in effect before its repeal by the Deficit Reduction Act of 1984)?
- If "Yes," you must attach the information required by the instructions.

| Yes | No |
|-----|----|
| | |

| Item number | Description Show the entire value of the annuity before any exclusions. | Alternate valuation date | Includible alternate value | Includible value at date of death |
|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------|----------------------------|-----------------------------------|
| 1 | | | | |
| Total from continuation schedules (or additional sheets) attached to this schedule | | | | |
| TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 9.) | | | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)

(The instructions to Schedule I are in the separate instructions.)

Estate of:

SCHEDULE J—Funeral Expenses and Expenses Incurred in Administering Property Subject to Claims

Note. Do not list on this schedule expenses of administering property not subject to claims. For those expenses, see the instructions for Schedule L.

If executors' commissions, attorney fees, etc., are claimed and allowed as a deduction for estate tax purposes, they are not allowable as a deduction in computing the taxable income of the estate for federal income tax purposes. They are allowable as an income tax deduction on Form 1041 if a waiver is filed to waive the deduction on Form 706 (see the Form 1041 instructions).

| Item number | Description | Expense amount | Total amount |
|-------------|---------------------------------------------------------------------------------------------------------------------|----------------|--------------|
| 1 | A. Funeral expenses: | | |
| | Total funeral expenses | | |
| | B. Administration expenses: | | |
| 1 | Executors' commissions—amount estimated/agreed upon/paid. (Strike out the words that do not apply.) | | |
| 2 | Attorney fees—amount estimated/agreed upon/paid. (Strike out the words that do not apply.) | | |
| 3 | Accountant fees—amount estimated/agreed upon/paid. (Strike out the words that do not apply.) | | |
| 4 | Miscellaneous expenses: | Expense amount | |
| | Total miscellaneous expenses from continuation schedules (or additional sheets) attached to this schedule | | |
| | Total miscellaneous expenses | | |
| | TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 13.) | | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
(See the instructions on the reverse side.)

Instructions for Schedule J—Funeral Expenses and Expenses Incurred in Administering Property Subject to Claims

General. You must complete and file Schedule J if you claim a deduction on item 13 of Part 5, Recapitulation.

On Schedule J, itemize funeral expenses and expenses incurred in administering property subject to claims. List the names and addresses of persons to whom the expenses are payable and describe the nature of the expense. **Do not list expenses incurred in administering property not subject to claims on this schedule. List them on Schedule L instead.**

The deduction is limited to the amount paid for these expenses that is allowable under local law but may not exceed:

1. The value of property subject to claims included in the gross estate, plus
2. The amount paid out of property included in the gross estate but not subject to claims. This amount must actually be paid by the due date of the estate tax return.

The applicable local law under which the estate is being administered determines which property is and is not subject to claims. If under local law a particular property interest included in the gross estate would bear the burden for the payment of the expenses, then the property is considered property subject to claims.

Unlike certain claims against the estate for debts of the decedent (see the instructions for Schedule K in the separate instructions), you cannot deduct expenses incurred in administering property subject to claims on both the estate tax return and the estate's income tax return. If you choose to deduct them on the estate tax return, you cannot deduct them on a Form 1041 filed for the estate. Funeral expenses are only deductible on the estate tax return.

Funeral Expenses. Itemize funeral expenses on line A. Deduct from the expenses any amounts that were reimbursed, such as death benefits payable by the Social Security Administration and the Veterans Administration.

Executors' Commissions. When you file the return, you may deduct commissions that have actually been paid to you or that you expect will be paid. You may not deduct commissions if none will be collected. If the amount of the commissions has not been fixed by decree of the proper court, the deduction will be allowed on the final examination of the return, provided that:

- The Estate and Gift Tax Territory Manager is reasonably satisfied that the commissions claimed will be paid;
- The amount entered as a deduction is within the amount allowable by the laws of the jurisdiction where the estate is being administered; and
- It is in accordance with the usually accepted practice in that jurisdiction for estates of similar size and character.

If you have not been paid the commissions claimed at the time of the final examination of the return, you must

support the amount you deducted with an affidavit or statement signed under the penalties of perjury that the amount has been agreed upon and will be paid.

You may not deduct a bequest or devise made to you instead of commissions. If, however, the decedent fixed by will the compensation payable to you for services to be rendered in the administration of the estate, you may deduct this amount to the extent it is not more than the compensation allowable by the local law or practice.

Do not deduct on this schedule amounts paid as trustees' commissions whether received by you acting in the capacity of a trustee or by a separate trustee. If such amounts were paid in administering property not subject to claims, deduct them on Schedule L.

Note. Executors' commissions are taxable income to the executors. Therefore, be sure to include them as income on your individual income tax return.

Attorney Fees. Enter the amount of attorney fees that have actually been paid or that you reasonably expect to be paid. If on the final examination of the return the fees claimed have not been awarded by the proper court and paid, the deduction will be allowed provided the Estate and Gift Tax Territory Manager is reasonably satisfied that the amount claimed will be paid and that it does not exceed a reasonable payment for the services performed, taking into account the size and character of the estate and the local law and practice. If the fees claimed have not been paid at the time of final examination of the return, the amount deducted must be supported by an affidavit, or statement signed under the penalties of perjury, by the executor or the attorney stating that the amount has been agreed upon and will be paid.

Do not deduct attorney fees incidental to litigation incurred by the beneficiaries. These expenses are charged against the beneficiaries personally and are not administration expenses authorized by the Code.

Interest Expense. Interest expenses incurred after the decedent's death are generally allowed as a deduction if they are reasonable, necessary to the administration of the estate, and allowable under local law.

Interest incurred as the result of a Federal estate tax deficiency is a deductible administrative expense. Penalties are not deductible even if they are allowable under local law.

Note. If you elect to pay the tax in installments under section 6166, you may not deduct the interest payable on the installments.

Miscellaneous Expenses. Miscellaneous administration expenses necessarily incurred in preserving and distributing the estate are deductible. These expenses include appraiser's and accountant's fees, certain court costs, and costs of storing or maintaining assets of the estate.

The expenses of selling assets are deductible only if the sale is necessary to pay the decedent's debts, the expenses of administration, or taxes, or to preserve the estate or carry out distribution.

Estate of:

SCHEDULE K—Debts of the Decedent, and Mortgages and Liens

| Item number | Debts of the Decedent—Creditor and nature of claim, and allowable death taxes | Amount unpaid to date | Amount in contest | Amount claimed as a deduction |
|-------------|-------------------------------------------------------------------------------|-----------------------|-------------------|-------------------------------|
| 1 | | | | |

Total from continuation schedules (or additional sheets) attached to this schedule

TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 14.)

| Item number | Mortgages and Liens—Description | Amount |
|-------------|---------------------------------|--------|
| 1 | | |

Total from continuation schedules (or additional sheets) attached to this schedule

TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 15.)

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
 (The instructions to Schedule K are in the separate instructions.)

Estate of:

**SCHEDULE L—Net Losses During Administration and
Expenses Incurred in Administering Property Not Subject to Claims**

| Item number | Net losses during administration (Note. Do not deduct losses claimed on a Federal income tax return.) | Amount |
|----------------|----------------------------------------------------------------------------------------------------------|--------|
| 1 | | |

Total from continuation schedules (or additional sheets) attached to this schedule

TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 18.)

| Item number | Expenses incurred in administering property not subject to claims. (Indicate whether estimated, agreed upon, or paid.) | Amount |
|----------------|---------------------------------------------------------------------------------------------------------------------------|--------|
| 1 | | |

Total from continuation schedules (or additional sheets) attached to this schedule

TOTAL. (Also enter on Part 5, Recapitulation, page 3, at item 19.)

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)

Estate of:

SCHEDULE M—Bequests, etc., to Surviving Spouse

Election To Deduct Qualified Terminable Interest Property Under Section 2056(b)(7). If a trust (or other property) meets the requirements of qualified terminable interest property under section 2056(b)(7), and

a. The trust or other property is listed on Schedule M, and

b. The value of the trust (or other property) is entered in whole or in part as a deduction on Schedule M,

then unless the executor specifically identifies the trust (all or a fractional portion or percentage) or other property to be excluded from the election, the executor shall be deemed to have made an election to have such trust (or other property) treated as qualified terminable interest property under section 2056(b)(7).

If less than the entire value of the trust (or other property) that the executor has included in the gross estate is entered as a deduction on Schedule M, the executor shall be considered to have made an election only as to a fraction of the trust (or other property). The numerator of this fraction is equal to the amount of the trust (or other property) deducted on Schedule M. The denominator is equal to the total value of the trust (or other property).

Election To Deduct Qualified Domestic Trust Property Under Section 2056A. If a trust meets the requirements of a qualified domestic trust under section 2056A(a) and this return is filed no later than 1 year after the time prescribed by law (including extensions) for filing the return, and

a. The entire value of a trust or trust property is listed on Schedule M, and

b. The entire value of the trust or trust property is entered as a deduction on Schedule M,

then unless the executor specifically identifies the trust to be excluded from the election, the executor shall be deemed to have made an election to have the entire trust treated as qualified domestic trust property.

| | Yes | No |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----|
| 1 Did any property pass to the surviving spouse as a result of a qualified disclaimer? If "Yes," attach a copy of the written disclaimer required by section 2518(b). | 1 | |
| 2a In what country was the surviving spouse born? _____ | | |
| b What is the surviving spouse's date of birth? _____ | | |
| c Is the surviving spouse a U.S. citizen? | 2c | |
| d If the surviving spouse is a naturalized citizen, when did the surviving spouse acquire citizenship? _____ | | |
| e If the surviving spouse is not a U.S. citizen, of what country is the surviving spouse a citizen? _____ | | |
| 3 Election Out of QTIP Treatment of Annuities —Do you elect under section 2056(b)(7)(C)(ii) not to treat as qualified terminable interest property any joint and survivor annuities that are included in the gross estate and would otherwise be treated as qualified terminable interest property under section 2056(b)(7)(C)? (see instructions) | 3 | |

| Item number | Description of property interests passing to surviving spouse | Amount |
|-------------|---------------------------------------------------------------|--------|
| 1 | | |

Total from continuation schedules (or additional sheets) attached to this schedule

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--|
| 4 Total amount of property interests listed on Schedule M | 4 | |
| 5a Federal estate taxes payable out of property interests listed on Schedule M | 5a | |
| b Other death taxes payable out of property interests listed on Schedule M | 5b | |
| c Federal and state GST taxes payable out of property interests listed on Schedule M | 5c | |
| d Add items 5a, b, and c | 5d | |
| 6 Net amount of property interests listed on Schedule M (subtract 5d from 4). Also enter on Part 5, Recapitulation, page 3, at item 20 | 6 | |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
(See the instructions on the reverse side.)

Examples of Listing of Property Interests on Schedule M

| Item number | Description of property interests passing to surviving spouse | Amount |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1 | One-half the value of a house and lot, 256 South West Street, held by decedent and surviving spouse as joint tenants with right of survivorship under deed dated July 15, 1957 (Schedule E, Part I, item 1) | \$132,500 |
| 2 | Proceeds of Gibraltar Life Insurance Company policy No. 104729, payable in one sum to surviving spouse (Schedule D, item 3) | 200,000 |
| 3 | Cash bequest under Paragraph Six of will | 100,000 |

Instructions for Schedule M—Bequests, etc., to Surviving Spouse (Marital Deduction)

General

You must complete Schedule M and file it with the return if you claim a deduction on item 20 of Part 5, Recapitulation.

The marital deduction is authorized by section 2056 for certain property interests that pass from the decedent to the surviving spouse. You may claim the deduction only for property interests that are included in the decedent's gross estate (Schedules A through I).

Note. The marital deduction is generally not allowed if the surviving spouse is **not** a U.S. citizen. The marital deduction is allowed for property passing to such a surviving spouse in a "qualified domestic trust" or if such property is transferred or irrevocably assigned to such a trust before the estate tax return is filed. The executor must elect qualified domestic trust status on this return. See the instructions that follow, on pages 29–30, for details on the election.

Property Interests That You May List on Schedule M

Generally, you may list on Schedule M all property interests that pass from the decedent to the surviving spouse and are included in the gross estate. However, you should not list any "Nondeductible terminable interests" (described below) on Schedule M unless you are making a QTIP election. The property for which you make this election must be included on Schedule M. See "Qualified terminable interest property" on the following page.

For the rules on common disaster and survival for a limited period, see section 2056(b)(3).

You may list on Schedule M only those interests that the surviving spouse takes:

1. As the decedent's legatee, devisee, heir, or donee;
2. As the decedent's surviving tenant by the entirety or joint tenant;
3. As an appointee under the decedent's exercise of a power or as a

taker in default at the decedent's nonexercise of a power;

4. As a beneficiary of insurance on the decedent's life;

5. As the surviving spouse taking under dower or curtesy (or similar statutory interest); and

6. As a transferee of a transfer made by the decedent at any time.

Property Interests That You May Not List on Schedule M

You should not list on Schedule M:

1. The value of any property that does not pass from the decedent to the surviving spouse;

2. Property interests that are not included in the decedent's gross estate;

3. The full value of a property interest for which a deduction was claimed on Schedules J through L. The value of the property interest should be reduced by the deductions claimed with respect to it;

4. The full value of a property interest that passes to the surviving spouse subject to a mortgage or other encumbrance or an obligation of the surviving spouse. Include on Schedule M only the net value of the interest after reducing it by the amount of the mortgage or other debt;

5. Nondeductible terminable interests (described below); or

6. Any property interest disclaimed by the surviving spouse.

Terminable Interests

Certain interests in property passing from a decedent to a surviving spouse are referred to as *terminable interests*. These are interests that will terminate or fail after the passage of time, or on the occurrence or nonoccurrence of some contingency. Examples are: life estates, annuities, estates for terms of years, and patents.

The ownership of a bond, note, or other contractual obligation, which when discharged would not have the effect of an annuity for life or for a term, is not considered a terminable interest.

Nondeductible terminable interests. A terminable interest is **nondeductible**, and should not be entered on Schedule M (unless you are making a QTIP election) if:

1. Another interest in the same property passed from the decedent to some other person for less than adequate and full consideration in money or money's worth; and

2. By reason of its passing, the other person or that person's heirs may enjoy part of the property after the termination of the surviving spouse's interest.

This rule applies even though the interest that passes from the decedent to a person other than the surviving spouse is not included in the gross estate, and regardless of when the interest passes. The rule also applies regardless of whether the surviving spouse's interest and the other person's interest pass from the decedent at the same time.

Property interests that are considered to pass to a person other than the surviving spouse are any property interest that: (a) passes under a decedent's will or intestacy; (b) was transferred by a decedent during life; or (c) is held by or passed on to any person as a decedent's joint tenant, as appointee under a decedent's exercise of a power, as taker in default at a decedent's release or nonexercise of a power, or as a beneficiary of insurance on the decedent's life.

For example, a decedent devised real property to his wife for life, with remainder to his children. The life interest that passed to the wife does not qualify for the marital deduction because it will terminate at her death and the children will thereafter possess or enjoy the property.

However, if the decedent purchased a joint and survivor annuity for himself and his wife who survived him, the value of the survivor's annuity, to the extent that it is included in the gross estate, qualifies for the marital deduction because even though the interest will terminate on the wife's death, no one else will possess or enjoy any part of the property.

The marital deduction is not allowed for an interest that the decedent directed the executor or a trustee to convert, after death, into a terminable interest for the surviving spouse. The marital deduction is not allowed for such an interest even if there was no interest

in the property passing to another person and even if the terminable interest would otherwise have been deductible under the exceptions described below for life estate and life insurance and annuity payments with powers of appointment. For more information, see Regulations sections 20.2056(b)-1(f) and 20.2056(b)-1(g), Example (7).

If any property interest passing from the decedent to the surviving spouse may be paid or otherwise satisfied out of any of a group of assets, the value of the property interest is, for the entry on Schedule M, reduced by the value of any asset or assets that, if passing from the decedent to the surviving spouse, would be nondeductible terminable interests. Examples of property interests that may be paid or otherwise satisfied out of any of a group of assets are a bequest of the residue of the decedent's estate, or of a share of the residue, and a cash legacy payable out of the general estate.

Example: A decedent bequeathed \$100,000 to the surviving spouse. The general estate includes a term for years (valued at \$10,000 in determining the value of the gross estate) in an office building, which interest was retained by the decedent under a deed of the building by gift to a son. Accordingly, the value of the specific bequest entered on Schedule M is \$90,000.

Life Estate With Power of Appointment in the Surviving Spouse.

A property interest, whether or not in trust, will be treated as passing to the surviving spouse, and will not be treated as a nondeductible terminable interest if: (a) the surviving spouse is entitled for life to all of the income from the entire interest; (b) the income is payable annually or at more frequent intervals; (c) the surviving spouse has the power, exercisable in favor of the surviving spouse or the estate of the surviving spouse, to appoint the entire interest; (d) the power is exercisable by the surviving spouse alone and (whether exercisable by will or during life) is exercisable by the surviving spouse in all events; and (e) no part of the entire interest is subject to a power in any other person to appoint any part to any person other than the surviving spouse (or the surviving spouse's legal representative or relative if the surviving spouse is disabled. See Rev. Rul. 85-35, 1985-1 C.B. 328). If these five conditions are satisfied only for a specific portion of the entire interest, see the section 2056(b) regulations to determine the amount of the marital deduction.

Life Insurance, Endowment, or Annuity Payments, With Power of Appointment in Surviving Spouse. A property interest consisting of the entire proceeds under

a life insurance, endowment, or annuity contract is treated as passing from the decedent to the surviving spouse, and will not be treated as a nondeductible terminable interest if: (a) the surviving spouse is entitled to receive the proceeds in installments, or is entitled to interest on them, with all amounts payable during the life of the spouse, payable only to the surviving spouse; (b) the installment or interest payments are payable annually, or more frequently, beginning not later than 13 months after the decedent's death; (c) the surviving spouse has the power, exercisable in favor of the surviving spouse or of the estate of the surviving spouse, to appoint all amounts payable under the contract; (d) the power is exercisable by the surviving spouse alone and (whether exercisable by will or during life) is exercisable by the surviving spouse in all events; and (e) no part of the amount payable under the contract is subject to a power in any other person to appoint any part to any person other than the surviving spouse. If these five conditions are satisfied only for a specific portion of the proceeds, see the section 2056(b) regulations to determine the amount of the marital deduction.

Charitable Remainder Trusts. An interest in a charitable remainder trust will **not** be treated as a nondeductible terminable interest if:

1. The interest in the trust passes from the decedent to the surviving spouse; and
2. The surviving spouse is the only beneficiary of the trust other than charitable organizations described in section 170(c).

A "charitable remainder trust" is either a charitable remainder annuity trust or a charitable remainder unitrust. (See section 664 for descriptions of these trusts.)

Election To Deduct Qualified Terminable Interests (QTIP)

You may elect to claim a marital deduction for qualified terminable interest property or property interests. You make the QTIP election simply by listing the qualified terminable interest property on Schedule M and deducting its value. You are presumed to have made the QTIP election if you list the property and deduct its value on Schedule M. If you make this election, the surviving spouse's gross estate will include the value of the "qualified terminable interest property." See the instructions for line 6 of Part 4, General Information, for more details. **The election is irrevocable.**

If you file a Form 706 in which you do not make this election, you may not file an amended return to make the election

unless you file the amended return on or before the due date for filing the original Form 706.

The effect of the election is that the property (interest) will be treated as passing to the surviving spouse and will not be treated as a nondeductible terminable interest. All of the other marital deduction requirements must still be satisfied before you may make this election. For example, you may not make this election for property or property interests that are not included in the decedent's gross estate.

Qualified terminable interest property. Qualified terminable interest property is property (a) that passes from the decedent, and (b) in which the surviving spouse has a qualifying income interest for life.

The surviving spouse has a *qualifying income interest for life* if the surviving spouse is entitled to all of the income from the property payable annually or at more frequent intervals, or has a usufruct interest for life in the property, and during the surviving spouse's lifetime no person has a power to appoint any part of the property to any person other than the surviving spouse. An annuity is treated as an income interest regardless of whether the property from which the annuity is payable can be separately identified.

Amendments to Regulations sections 20.2044-1, 20.2056(b)-7 and 20.2056(b)-10 clarify that an interest in property is eligible for QTIP treatment if the income interest is contingent upon the executor's election even if that portion of the property for which no election is made will pass to or for the benefit of beneficiaries other than the surviving spouse.

The QTIP election may be made for all or any part of qualified terminable interest property. A partial election must relate to a fractional or percentile share of the property so that the elective part will reflect its proportionate share of the increase or decline in the whole of the property when applying sections 2044 or 2519. Thus, if the interest of the surviving spouse in a trust (or other property in which the spouse has a qualified life estate) is qualified terminable interest property, you may make an election for a part of the trust (or other property) only if the election relates to a defined fraction or percentage of the entire trust (or other property). The fraction or percentage may be defined by means of a formula.

Qualified Domestic Trust Election (QDOT)

The marital deduction is allowed for transfers to a surviving spouse who is not a U.S. citizen only if the property passes to the surviving spouse in a "qualified domestic trust" (QDOT) or if

such property is transferred or irrevocably assigned to a QDOT before the decedent's estate tax return is filed.

A QDOT is any trust:

1. That requires at least one trustee to be either an individual who is a citizen of the United States or a domestic corporation;

2. That requires that no distribution of corpus from the trust can be made unless such a trustee has the right to withhold from the distribution the tax imposed on the QDOT;

3. That meets the requirements of any applicable regulations; and

4. For which the executor has made an election on the estate tax return of the decedent.

Note. For trusts created by an instrument executed before November 5, 1990, paragraphs 1 and 2 above will be treated as met if the trust instrument requires that all trustees be individuals who are citizens of the United States or domestic corporations.

You make the QDOT election simply by listing the qualified domestic trust or the **entire value** of the trust property on Schedule M and deducting its value. You are presumed to have made the QDOT election if you list the trust or trust property and deduct its value on Schedule M. **Once made, the election is irrevocable.**

If an election is made to deduct qualified domestic trust property under section 2056A(d), provide the following information for each qualified domestic trust on an attachment to this schedule:

1. The name and address of every trustee;
2. A description of each transfer passing from the decedent that is the source of the property to be placed in trust; and
3. The employer identification number (EIN) for the trust.

The election must be made for an entire QDOT trust. In listing a trust for which you are making a QDOT election, unless you specifically identify the trust as not subject to the election, the election will be considered made for the entire trust.

The determination of whether a trust qualifies as a QDOT will be made as of the date the decedent's Form 706 is filed. If, however, judicial proceedings are brought before the Form 706's due

date (including extensions) to have the trust revised to meet the QDOT requirements, then the determination will not be made until the court-ordered changes to the trust are made.

Line 1

If property passes to the surviving spouse as the result of a qualified disclaimer, check "Yes" and attach a copy of the written disclaimer required by section 2518(b).

Line 3

Section 2056(b)(7) creates an automatic QTIP election for certain joint and survivor annuities that are includible in the estate under section 2039. To qualify, only the surviving spouse can have the right to receive payments before the death of the surviving spouse.

The executor can elect out of QTIP treatment, however, by checking the "Yes" box on line 3. Once made, the election is irrevocable. If there is more than one such joint and survivor annuity, you are not required to make the election for all of them.

If you make the election out of QTIP treatment by checking "Yes" on line 3, you cannot deduct the amount of the annuity on Schedule M. If you do not make the election out, you must list the joint and survivor annuities on Schedule M.

Listing Property Interests on Schedule M

List each property interest included in the gross estate that passes from the decedent to the surviving spouse and for which a marital deduction is claimed. This includes otherwise nondeductible terminable interest property for which you are making a QTIP election. Number each item in sequence and describe each item in detail. Describe the instrument (including any clause or paragraph number) or provision of law under which each item passed to the surviving spouse. If possible, show where each item appears (number and schedule) on Schedules A through I.

In listing otherwise nondeductible property for which you are making a QTIP election, unless you specifically identify a fractional portion of the trust or other property as not subject to the election, the election will be considered made for all of the trust or other property.

Enter the value of each interest before taking into account the federal estate tax or any other death tax. The valuation dates used in determining the value of the gross estate apply also on Schedule M.

If Schedule M includes a bequest of the residue or a part of the residue of the decedent's estate, attach a copy of the computation showing how the value of the residue was determined. Include a statement showing:

- The value of all property that is included in the decedent's gross estate (Schedules A through I) but is not a part of the decedent's probate estate, such as lifetime transfers, jointly owned property that passed to the survivor on decedent's death, and the insurance payable to specific beneficiaries;
- The values of all specific and general legacies or devises, with reference to the applicable clause or paragraph of the decedent's will or codicil. (If legacies are made to each member of a class; for example, \$1,000 to each of decedent's employees, only the number in each class and the total value of property received by them need be furnished);
- The date of birth of all persons, the length of whose lives may affect the value of the residuary interest passing to the surviving spouse; and
- Any other important information such as that relating to any claim to any part of the estate not arising under the will.

Lines 5a, b, and c. The total of the values listed on Schedule M must be reduced by the amount of the federal estate tax, the federal GST tax, and the amount of state or other death and GST taxes paid out of the property interest involved. If you enter an amount for state or other death or GST taxes on lines 5b or 5c, identify the taxes and attach your computation of them.

Attachments. If you list property interests passing by the decedent's will on Schedule M, attach a certified copy of the order admitting the will to probate. If, when you file the return, the court of probate jurisdiction has entered any decree interpreting the will or any of its provisions affecting any of the interests listed on Schedule M, or has entered any order of distribution, attach a copy of the decree or order. In addition, the IRS may request other evidence to support the marital deduction claimed.

Estate of:

SCHEDULE O—Charitable, Public, and Similar Gifts and Bequests

| | Yes | No |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1a If the transfer was made by will, has any action been instituted to have interpreted or to contest the will or any of its provisions affecting the charitable deductions claimed in this schedule? If "Yes," full details must be submitted with this schedule. | | |
| b According to the information and belief of the person or persons filing this return, is any such action planned? If "Yes," full details must be submitted with this schedule. | | |
| 2 Did any property pass to charity as the result of a qualified disclaimer? If "Yes," attach a copy of the written disclaimer required by section 2518(b). | | |

| Item number | Name and address of beneficiary | Character of institution | Amount |
|-------------|---------------------------------|--------------------------|--------|
| 1 | | | |

Total from continuation schedules (or additional sheets) attached to this schedule

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 3 Total | 3 |
| 4a Federal estate tax payable out of property interests listed above | 4a |
| b Other death taxes payable out of property interests listed above | 4b |
| c Federal and state GST taxes payable out of property interests listed above | 4c |
| d Add items 4a, b, and c | 4d |
| 5 Net value of property interests listed above (subtract 4d from 3). Also enter on Part 5, Recapitulation, page 3, at item 21 | 5 |

(If more space is needed, attach the continuation schedule from the end of this package or additional sheets of the same size.)
(The instructions to Schedule O are in the separate instructions.)

Estate of:

SCHEDULE P—Credit for Foreign Death Taxes

List all foreign countries to which death taxes have been paid and for which a credit is claimed on this return.

If a credit is claimed for death taxes paid to more than one foreign country, compute the credit for taxes paid to one country on this sheet and attach a separate copy of Schedule P for each of the other countries.

The credit computed on this sheet is for the

(Name of death tax or taxes)

imposed in

(Name of country)

Credit is computed under the

(Insert title of treaty or "statute")

Citizenship (nationality) of decedent at time of death

(All amounts and values must be entered in United States money.)

| | | | |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|
| 1 | Total of estate, inheritance, legacy, and succession taxes imposed in the country named above attributable to property situated in that country, subjected to these taxes, and included in the gross estate (as defined by statute) | 1 | |
| 2 | Value of the gross estate (adjusted, if necessary, according to the instructions for item 2) | 2 | |
| 3 | Value of property situated in that country, subjected to death taxes imposed in that country, and included in the gross estate (adjusted, if necessary, according to the instructions for item 3) | 3 | |
| 4 | Tax imposed by section 2001 reduced by the total credits claimed under sections 2010 and 2012 (see instructions) | 4 | |
| 5 | Amount of Federal estate tax attributable to property specified at item 3. (Divide item 3 by item 2 and multiply the result by item 4.) | 5 | |
| 6 | Credit for death taxes imposed in the country named above (the smaller of item 1 or item 5). Also enter on line 13 of Part 2, Tax Computation | 6 | |

SCHEDULE Q—Credit for Tax on Prior Transfers**Part 1—Transferor Information**

| | Name of transferor | Social security number | IRS office where estate tax return was filed | Date of death |
|---|--------------------|------------------------|----------------------------------------------|---------------|
| A | | | | |
| B | | | | |
| C | | | | |

Check here ☐ if section 2013(f) (special valuation of farm, etc., real property) adjustments to the computation of the credit were made (see page 20 of the instructions).

Part 2—Computation of Credit (see instructions beginning on page 20)

| Item | Transferor | | | Total A, B, & C |
|------|---------------------------------------------------------------------------------------------------------------------|---|---|--------------------|
| | A | B | C | |
| 1 | Transferee's tax as apportioned (from worksheet, (line 7 ÷ line 8) × line 35 for each column) | | | |
| 2 | Transferor's tax (from each column of worksheet, line 20) | | | |
| 3 | Maximum amount before percentage requirement (for each column, enter amount from line 1 or 2, whichever is smaller) | | | |
| 4 | Percentage allowed (each column) (see instructions) | % | % | % |
| 5 | Credit allowable (line 3 × line 4 for each column) | | | |
| 6 | TOTAL credit allowable (add columns A, B, and C of line 5). Enter here and on line 14 of Part 2, Tax Computation | | | |

SCHEDULE R—Generation-Skipping Transfer Tax

Note. To avoid application of the deemed allocation rules, Form 706 and Schedule R should be filed to allocate the GST exemption to trusts that may later have taxable terminations or distributions under section 2612 even if the form is not required to be filed to report estate or GST tax.

The GST tax is imposed on taxable transfers of interests in property located **outside the United States** as well as property located inside the United States.

See instructions beginning on page 21.

Part 1—GST Exemption Reconciliation (Section 2631) and Section 2652(a)(3) (Special QTIP) Election

You no longer need to check a box to make a section 2652(a)(3) (special QTIP) election. If you list qualifying property in Part 1, line 9, below, you will be considered to have made this election. See page 23 of the separate instructions for details.

| | | | |
|---|-------------------------------------------------------------------------------------------------------------------|---|--|
| 1 | Maximum allowable GST exemption | 1 | |
| 2 | Total GST exemption allocated by the decedent against decedent's lifetime transfers | 2 | |
| 3 | Total GST exemption allocated by the executor, using Form 709, against decedent's lifetime transfers | 3 | |
| 4 | GST exemption allocated on line 6 of Schedule R, Part 2 | 4 | |
| 5 | GST exemption allocated on line 6 of Schedule R, Part 3 | 5 | |
| 6 | Total GST exemption allocated on line 4 of Schedule(s) R-1 | 6 | |
| 7 | Total GST exemption allocated to <i>inter vivos</i> transfers and direct skips (add lines 2–6) | 7 | |
| 8 | GST exemption available to allocate to trusts and section 2032A interests (subtract line 7 from line 1) | 8 | |
| 9 | Allocation of GST exemption to trusts (as defined for GST tax purposes): | | |

| A Name of trust | B Trust's EIN (if any) | C GST exemption allocated on lines 2–6, above (see instructions) | D Additional GST exemption allocated (see instructions) | E Trust's inclusion ratio (optional—see instructions) |
|--------------------|---------------------------|---------------------------------------------------------------------|------------------------------------------------------------|----------------------------------------------------------|
| | | | | |

| | | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|
| 9D | Total. May not exceed line 8, above | 9D | |
| 10 | GST exemption available to allocate to section 2032A interests received by individual beneficiaries (subtract line 9D from line 8). You must attach special use allocation schedule (see instructions). | 10 | |

(The instructions to Schedule R are in the separate instructions.)

[illegible]

(Rev. August 2005)
Department of the Treasury
Internal Revenue Service

Direct Skips From a Trust

Payment Voucher

OMB No. 1545-0015

Fiduciary: See instructions on the following page. Pay the tax shown on line 6.

| | | |
|------------------------------------------|-----------------------------------------------------------|-----------------------------------------|
| Name of trust | | Trust's EIN |
| Name and title of fiduciary | Name of decedent | |
| Address of fiduciary (number and street) | Decedent's SSN | Service Center where Form 706 was filed |
| City, state, and ZIP code | Name of executor | |
| Address of executor (number and street) | City, state, and ZIP code | |
| Date of decedent's death | Filing due date of Schedule R, Form 706 (with extensions) | |

Description of property interests subject to the direct skip

| Description of property interests subject to the direct skip | Estate tax value |
|--------------------------------------------------------------|------------------|
| | |

| | | | |
|---|--------------------------------------------------------------------------------------------------------------------------|---|--|
| 1 | Total estate tax value of all property interests listed above | 1 | |
| 2 | Estate taxes, state death taxes, and other charges borne by the property interests listed above | 2 | |
| 3 | Tentative maximum direct skip from trust (subtract line 2 from line 1) | 3 | |
| 4 | GST exemption allocated | 4 | |
| 5 | Subtract line 4 from line 3 | 5 | |
| 6 | GST tax due from fiduciary (divide line 5 by 3.127659). (See instructions if property will not bear the GST tax.) | 6 | |

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Signature(s) of executor(s)

Date _____

Date _____

Signature of fiduciary or officer representing fiduciary

Date _____

Instructions for the Trustee

Introduction

Schedule R-1 (Form 706) serves as a payment voucher for the Generation-Skipping Transfer (GST) tax imposed on a direct skip from a trust, which you, the trustee of the trust, must pay. The executor completes the Schedule R-1 (Form 706) and gives you 2 copies. File one copy and keep one for your records.

How to pay

You can pay by check or money order.

- Make it payable to the "United States Treasury."
 - Make the check or money order for the amount on line 6 of Schedule R-1.
 - Write "GST Tax" and the trust's EIN on the check or money order.
-

Signature

You must sign the Schedule R-1 in the space provided.

What to mail

Mail your check or money order and the copy of Schedule R-1 that you signed.

Where to mail

Mail to the Service Center shown on Schedule R-1.

When to pay

The GST tax is due and payable 9 months after the decedent's date of death (shown on the Schedule R-1). You will owe interest on any GST tax not paid by that date.

Automatic extension

You have an automatic extension of time to file Schedule R-1 and pay the GST tax. The automatic extension allows you to file and pay by 2 months after the due date (with extensions) for filing the decedent's Schedule R (shown on the Schedule R-1).

If you pay the GST tax under the automatic extension, you will be charged interest (but no penalties).

Additional information

For more information, see Code section 2603(a)(2) and the instructions for Form 706, United States Estate (and Generation-Skipping Transfer) Tax Return.

Estate of: _____

SCHEDULE U. Qualified Conservation Easement Exclusion**Part 1—Election**

Note. The executor is deemed to have made the election under section 2031(c)(6) if he or she files Schedule U and excludes any qualifying conservation easements from the gross estate.

Part 2—General Qualifications

- 1 Describe the land subject to the qualified conservation easement (see separate instructions) _____
- 2 Did the decedent or a member of the decedent's family own the land described above during the 3-year period ending on the date of the decedent's death? ☐ Yes ☐ No
- 3 Describe the conservation easement with regard to which the exclusion is being claimed (see separate instructions). _____

Part 3—Computation of Exclusion

| | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--|---|--|
| 4 | Estate tax value of the land subject to the qualified conservation easement (see separate instructions) | | | 4 | |
| 5 | Date of death value of any easements granted prior to decedent's death and included on line 10 below (see instructions) | 5 | | | |
| 6 | Add lines 4 and 5. | 6 | | | |
| 7 | Value of retained development rights on the land (see instructions) | 7 | | | |
| 8 | Subtract line 7 from line 6. | 8 | | | |
| 9 | Multiply line 8 by 30% (.30) | 9 | | | |
| 10 | Value of qualified conservation easement for which the exclusion is being claimed (see instructions) | 10 | | | |
| Note: If line 10 is less than line 9, continue with line 11. If line 10 is equal to or more than line 9, skip lines 11 through 13, enter ".40" on line 14, and complete the schedule. | | | | | |
| 11 | Divide line 10 by line 8. Figure to 3 decimal places (e.g., .123) If line 11 is equal to or less than .100, stop here; the estate does not qualify for the conservation easement exclusion. | 11 | | | |
| 12 | Subtract line 11 from .300. Enter the answer in hundredths by rounding any thousandths up to the next higher hundredth (i.e., .030 = .03; but .031 = .04) | 12 | | | |
| 13 | Multiply line 12 by 2. | 13 | | | |
| 14 | Subtract line 13 from .40 | 14 | | | |
| 15 | Deduction under section 2055(f) for the conservation easement (see separate instructions) | 15 | | | |
| 16 | Amount of indebtedness on the land (see separate instructions) | 16 | | | |
| 17 | Total reductions in value (add lines 7, 15, and 16) | 17 | | | |
| 18 | Net value of land (subtract line 17 from line 4) | 18 | | | |
| 19 | Multiply line 18 by line 14 | 19 | | | |
| 20 | Enter the smaller of line 19 or the exclusion limitation (see instructions). Also enter this amount on item 11, Part 5, Recapitulation, page 3 | 20 | | | |

CONTINUATION SCHEDULE

Continuation of Schedule
(Enter letter of schedule you are continuing.)

| Item number | Description For securities, give CUSIP number. | Unit value (Sch. B, E, or G only) | Alternate valuation date | Alternate value | Value at date of death or amount deductible |
|------------------------------------------|---------------------------------------------------|-----------------------------------------|-----------------------------|-----------------|---------------------------------------------------|
| TOTAL. (Carry forward to main schedule.) | | | | | |

See the instructions on the reverse side.

Instructions for Continuation Schedule

When you need to list more assets or deductions than you have room for on one of the main schedules, use the Continuation Schedule on page 39. It provides a uniform format for listing additional assets from Schedules A through I and additional deductions from Schedules J, K, L, M, and O.

Please keep the following points in mind:

- Use a separate Continuation Schedule for each main schedule you are continuing. Do not combine assets or deductions from different schedules on one Continuation Schedule.
- Make copies of the blank schedule before completing it if you expect to need more than one.
- Use as many Continuation Schedules as needed to list all the assets or deductions.
- Enter the letter of the schedule you are continuing in the space at the top of the Continuation Schedule.
- Use the *Unit value* column **only** if continuing Schedule B, E, or G. For all other schedules, use this space to continue the description.
- Carry the total from the Continuation Schedules forward to the appropriate line on the main schedule.

| If continuing | Report | Where on Continuation Schedule |
|-------------------|----------------------------------------------|-----------------------------------------------------|
| Schedule E, Pt. 2 | <i>Percentage includible</i> | <i>Alternate valuation date</i> |
| Schedule K | <i>Amount unpaid to date</i> | <i>Alternate valuation date</i> |
| Schedule K | <i>Amount in contest</i> | <i>Alternate value</i> |
| Schedules J, L, M | <i>Description of deduction continuation</i> | <i>Alternate valuation date and Alternate value</i> |
| Schedule O | <i>Character of institution</i> | <i>Alternate valuation date and Alternate value</i> |
| Schedule O | <i>Amount of each deduction</i> | <i>Amount deductible</i> |

