

59-3403. Same; reformation. Upon the petition of an interested person, a court shall reform a disposition in the manner that most closely approximates the transferor's manifested plan of distribution and is within the 90 years allowed by subsections (a)(2), (b)(2) or (c)(2) of K.S.A. 59-3401 if:

(1) A nonvested property interest or a power of appointment becomes invalid under K.S.A. 59-3401, statutory rule against perpetuities;

(2) a class gift is not but might become invalid under K.S.A. 59-3401, statutory rule against perpetuities, and the time has arrived when the share of any class member is to take effect in possession or enjoyment; or

(3) a nonvested property interest that is not validated by subsection (a)(1) of K.S.A. 59-3401 can vest but not within 90 years after its creation.

History: L. 1992, ch. 302, § 3; July 1.