

that the donee or grantee thereby releases, surrenders or gives up such power to the extent specified, and shall be valid and effective with or without consideration or the acknowledgment or seal of such donee or grantee, guardian or legal representative, and shall be irrevocable if the original or duplicate original of the written instrument is delivered by or for such donee or grantee, guardian, or legal representative as provided in any one of the following subdivisions:

(1) Where the property subject to such power is held by or for one or more trustees, executors, administrators or other fiduciaries, delivery thereof may be made to any such fiduciary other than such donee or grantee.

(2) Where the power is created by will or codicil, delivery may be made to the Register of Wills of the County or Baltimore City where said will or codicil was probated or recorded.

(3) Where the instrument creating the power is recorded among the Land Records or Chattel Records of the Circuit Court for any County or the Superior Court of Baltimore City, delivery may be made to the Record Office where the instrument creating said power is recorded.

(4) Delivery may be made to any person who would receive an interest in the property described in such written instrument if such donee or grantee should die at the time of such delivery without exercising such power.

(5) Delivery may be made to any person who might under any possibility be affected adversely by an exercise of the power.

Provided, however, that no such written instrument executed and delivered in accordance with subparagraphs (1), (4) or (5) above shall be effective unless the instrument releasing the power as hereinabove authorized shall have been within ninety days after the execution thereof, or after the effective date of this act, whichever shall be later, delivered either (a) to the Register of Wills of the county or Baltimore City where the will or codicil creating such power was probated or recorded, if such power was created by will or codicil, or (b) to the proper officer for recording among the Land or Chattel Records of the Circuit Court for the county or the Superior Court of Baltimore City where the deed or instrument creating such power may have been recorded, or (c) if the instrument creating the power is not recorded in Maryland, then to the Clerk of the Superior Court of Baltimore City, or to the Clerk of the Circuit Court of the County wherein any property affected may be situated.