

entered into after or in anticipation of separation or divorce, is a waiver of all rights to his family allowance as well as to his elective share by each spouse in the property of the other, his right to letters under Section 5-104, and an irrevocable renunciation by each of all benefits which would otherwise pass to him from the other by intestate succession, by statutory share, or by virtue of the provisions of any will executed before the waiver or property settlement.

3-206. Time limitation for making election; withdrawal.

The election by a surviving spouse to take his elective share must be made not later than thirty days after the expiration of the time for filing claims. However, the Court shall have the power to extend the time for election, before its expiration, for a period not to exceed three months at any one time, upon notice being given to the personal representative and for good cause shown. The surviving spouse may withdraw his election at any time within thirty days after the expiration of the time for filing claims.

3-207. Form of election.

An election to take an intestate share of a decedent's estate shall be in writing and signed by the surviving spouse or other person entitled to make such election pursuant to Section 3-204, and shall be filed in the Court in which the personal representative of the decedent was appointed. Such election may be in the following form:

I, A. B., surviving spouse of C. D., late of the County (City) of, do hereby renounce all provisions in the will of the said C. D. and do hereby elect to take my intestate share of the estate of the said C.D.

[signature]

3-208. Effect of election upon will.

(a) Upon the election of the surviving spouse to take his intestate share of the property of the decedent, all property or other benefits which would otherwise have passed to the surviving spouse under the will shall be treated as if the surviving spouse had died before the execution of the will. Neither the surviving spouse nor any person claiming through him shall receive any property under the will.

(b) In the event of an election to take an intestate share, contribution to the payment thereof shall be made ratably by or on behalf of all other legatees from their respective shares of the decedent's estate (including any undisposed of portion of such estate). In lieu of contributing (or having contributed on his behalf) an interest in specific property to such intestate share a legatee may pay to the surviving spouse in cash, or other property acceptable to such spouse, an amount equal to the fair market value of such interest in specific property on the date the election to take an intestate share was made by the spouse. Unless otherwise specifically provided in the will, no legatee shall be entitled, on account of any contribution made by or on behalf of such legatee to the intestate share, to sequestration or compensation from any other legatee, or from any other part of