

THE COUNTY IN WHICH THE WILL IS ADMITTED TO PROBATE BEFORE HE RECEIVES PROPERTY OR PERFORMS AN ACT PURSUANT TO THE TRUST.

(E) EFFECT.

UNLESS THE WILL PROVIDES OTHERWISE, THE TRUST SHALL THEREAFTER BE ADMINISTERED AS IF THE TRUSTEE HAD NOT BEEN APPOINTED. THE RENUNCIATION [[DOES NOT]] SHALL NOT BE CONSTRUED TO RELEASE OR IMPAIR THE RIGHT OF THE PERSON TO A LEGACY UNDER THE WILL BY WHICH HE WAS APPOINTED TRUSTEE, UNLESS THE LEGACY IS EXPRESSLY DECLARED IN THE WILL TO BE COMPENSATION FOR HIS SERVICES AS TRUSTEE.

(C) APPLICATION OF RULES.

UNLESS THE WILL PROVIDES OTHERWISE, IN ALL CASES NOT PROVIDED FOR IN THIS SECTION, A TRUSTEE MAY RENOUNCE OR RESIGN HIS TRUST ONLY IN ACCORDANCE WITH THE MARYLAND RULES.

REVISOR'S NOTE: This section presently appears as Art. 93, §9-102. It is divided into three subsections for organizational purposes. See also §14-103 with respect to resignation by a trustee. The only other changes are in language and style.

9-103. ORDER IN WHICH ASSETS APPROPRIATED; ABATEMENT.

(A) DEFINITION.

AS USED IN THIS SECTION "LEGACY" OR "LEGACIES" MAY NOT INCLUDE ASSETS PASSING BY THE EXERCISE OF THE DECEDENT OF A TESTAMENTARY POWER OF APPOINTMENT.

(B) GENERAL RULES.

UNLESS A CONTRARY INTENT IS EXPRESSED IN THE WILL AND EXCEPT AS PROVIDED IN §§3-208, 3-303, AND SUBSECTION (C) OF THIS SECTION, SHARES OF LEGATEES ABATE WITHOUT PREFERENCE OR PRIORITY AS BETWEEN REAL AND PERSONAL PROPERTY, IN THE ORDER PROVIDED IN THIS SUBSECTION.

- (1) PROPERTY NOT DISPOSED OF BY THE WILL,
- (2) RESIDUARY LEGACIES,
- (3) GENERAL LEGACY, OTHER THAN (4), (5), AND (6) OF THIS SUBSECTION,
- (4) GENERAL LEGACY TO DEPENDENTS OF TESTATOR,
- (5) GENERAL LEGACY TO CREDITOR OF TESTATOR IN