

SATISFACTION OF A JUST DEBT,

(6) GENERAL LEGACY TO SURVIVING SPOUSE OF TESTATOR,

(7) SPECIFIC AND DEMONSTRATIVE LEGACIES.

ABATEMENT WITHIN EACH CLASSIFICATION IS IN PROPORTION TO THE AMOUNTS OF PROPERTY EACH OF THE LEGATEES OR HEIRS WOULD HAVE RECEIVED, HAD FULL DISTRIBUTION OF THE PROPERTY BEEN MADE IN ACCORDANCE WITH THE TERMS OF THE WILL.

(C) ABATEMENT; CONTRIBUTION.

WHEN THE SUBJECT MATTER OF A PREFERRED LEGACY IS SOLD OR USED AS AN INCIDENT TO ADMINISTRATION, APPROPRIATE ADJUSTMENTS IN, OR CONTRIBUTIONS FROM, OTHER INTERESTS IN THE REMAINING ASSETS SHALL BE EFFECTED.

REVISOR'S NOTE: This section presently appears as Art. 93, §9-103. The only changes are in style and language.

9-104. DISTRIBUTION IN KIND.

(A) GENERAL.

SUBJECT TO THE TERMS OF THE WILL AND THE NEEDS OF ADMINISTRATION, THE ASSETS OF THE ESTATE OF A DECEDENT SHALL BE DISTRIBUTED IN KIND TO THE EXTENT POSSIBLE THROUGH APPLICATION OF THE PROVISIONS OF THIS SECTION.

(B) SPECIFIC LEGACY.

A SPECIFIC LEGATEE SHALL RECEIVE DISTRIBUTION OF THE LEGACY GIVEN TO HIM.

[[(C) VALUATION.]] (C) VALUE IN KIND.

A FAMILY ALLOWANCE, INTESTATE SUCCESSION, STATUTORY SHARE, OR LEGACY PAYABLE IN CASH MAY BE SATISFIED BY VALUE IN KIND PROVIDED:

(1) THE PERSON ENTITLED TO THE PAYMENT HAS NOT DEMANDED PAYMENT IN CASH;

(2) THE PROPERTY DISTRIBUTED IN KIND IS VALUED AT FAIR MARKET VALUE AS OF THE DATE OF ITS DISTRIBUTION, AND

(3) A RESIDUARY LEGATEE HAS NOT REQUESTED THAT THE ASSET IN QUESTION REMAIN A PART OF THE RESIDUE