

(1) THE DISCLAIMER SHALL BE DELIVERED TO THE HOLDER OF THE POWER OR TO THE FIDUCIARY ACTING UNDER THE INSTRUMENT THAT CREATED THE POWER; OR

(2) IF THERE IS NO FIDUCIARY, IT SHALL BE FILED WITH A COURT HAVING AUTHORITY TO APPOINT THE FIDUCIARY.

(I) IN THE CASE OF A DISCLAIMER BY AN APPOINTEE OF A NONFIDUCIARY POWER OF APPOINTMENT:

(1) THE DISCLAIMER SHALL BE DELIVERED TO THE HOLDER, THE PERSONAL REPRESENTATIVE OF THE HOLDER'S ESTATE, OR TO THE FIDUCIARY UNDER THE INSTRUMENT THAT CREATED THE POWER; OR

(2) IF THERE IS NO FIDUCIARY, IT SHALL BE FILED WITH A COURT HAVING AUTHORITY TO APPOINT THE FIDUCIARY.

(J) IN THE CASE OF A DISCLAIMER BY A FIDUCIARY OF A POWER OVER A TRUST OR ESTATE, THE DISCLAIMER SHALL BE DELIVERED AS PROVIDED IN SUBSECTION (B), (C), OR (D) OF THIS SECTION AS IF THE POWER DISCLAIMED WERE AN INTEREST IN PROPERTY.

(K) IN THE CASE OF A DISCLAIMER OF A POWER BY AN AGENT, THE DISCLAIMER SHALL BE DELIVERED TO THE PRINCIPAL OR THE PRINCIPAL'S REPRESENTATIVE.

9-210.

(A) A DISCLAIMER IS BARRED BY A WRITTEN WAIVER OF THE RIGHT TO DISCLAIM.

(B) A DISCLAIMER OF AN INTEREST IN PROPERTY IS BARRED IF ANY OF THE FOLLOWING OCCURS BEFORE THE DISCLAIMER BECOMES EFFECTIVE:

(1) THE DISCLAIMANT ACCEPTS THE INTEREST SOUGHT TO BE DISCLAIMED;

(2) THE DISCLAIMANT VOLUNTARILY ASSIGNS, CONVEYS, ENCUMBERS, PLEDGES, OR TRANSFERS THE INTEREST SOUGHT TO BE DISCLAIMED OR CONTRACTS TO DO SO; OR

(3) A JUDICIAL SALE OF THE INTEREST SOUGHT TO BE DISCLAIMED OCCURS.

(C) A DISCLAIMER IN WHOLE OR IN PART OF THE FUTURE EXERCISE OF A POWER HELD IN A FIDUCIARY CAPACITY IS NOT BARRED BY ITS PREVIOUS EXERCISE.

(D) A DISCLAIMER IN WHOLE OR IN PART OF THE FUTURE EXERCISE OF POWER NOT HELD IN A FIDUCIARY CAPACITY IS NOT BARRED BY ITS PREVIOUS EXERCISE UNLESS THE POWER IS EXERCISABLE IN FAVOR OF THE DISCLAIMANT.

(E) A DISCLAIMER IS BARRED OR LIMITED IF SO PROVIDED BY LAW OTHER THAN THIS SUBTITLE.