

## ***USE OF A MEMORANDUM TO DISPOSE OF PERSONAL PROPERTY***

The Florida Probate Code Section 732.515 expressly permits the use of a separate memorandum to dispose of tangible personal property. If you wish to use such a memorandum rather than itemize the disposition of personal property in your Will, you should be aware of and adhere to the following rules:

1. Your Will may refer to your intended disposition by memorandum.
2. The memorandum should not include items already specifically disposed of by you in your Will.
3. The use of a memorandum does not apply to the disposition of money, evidences of indebtedness, documents of title, securities or property used in a trade or business. These types of personal property should be disposed of by your Will.
4. The memorandum must be dated and signed by you.
5. You should clearly describe each item so that it is easily identified and not confused with another similar item.
6. Each beneficiary should be identified by his or her proper name and relationship to you.
7. You should consider providing for an alternative beneficiary if the first named beneficiary does not survive you.
8. You may change the beneficiaries in the memorandum from time to time or revise or revoke the entire memorandum. Each memorandum should be dated so that the last written memorandum can be easily identified. Memorandums which you intend to revoke should be destroyed.

The following is a form to assist you in preparing such a memorandum:

DISPOSITION OF CERTAIN ITEMS OF  
MY TANGIBLE PERSONAL PROPERTY

I intend by this writing to dispose of certain items of my tangible personal property by designating the beneficiaries who will take such items at my death.

I give and devise [ITEM] to [PERSON, NAME], if he/she survives me.

I give and devise [ITEM] to [PERSON, NAME], if he/she survives me.

I give and devise [ITEM] to [PERSON, NAME], if he/she survives me.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

[NAME]