

September 23, 2011

Ms. L. Michele Nelson, Esq.  
2112 East 15<sup>th</sup> Street  
Tulsa OK 74104-4614

Re: Proposed legislative initiative – Rule Against Perpetuities

Dear Michele:

As per our telephone conversation today, I am proposing that Oklahoma change its statutory Rule Against Perpetuities and adopt instead the Uniform Statutory Rule Against Perpetuities as promulgated by the National Conference of Commissioners on Uniform State laws (NCCUSL).

This piece of legislation can be found on the NCCUSL website at the following url:

<http://www.law.upenn.edu/bll/archives/ulc/fnact99/1990s/usrap90.htm>

At present over half the states and the District of Columbia have modified their common law Rules Against Perpetuities, adopting a variety of different perpetuities periods. While the NCCUSL proposal has a 90 year limitations period, I urge Oklahoma to adopt a period of at least 350 years to keep Oklahoma competitive among the states in this area of the law.

Would you please add this to the items for discussion by the Legislation Committee of the OBA Estate Planning, Probate and Trust Section when next it meets?

Also, as I mentioned to you, there will be an interim study on this issue to be held by Rep. Fred Jordan at the State Capitol on Monday, October 17<sup>th</sup> at 1:00 p.m. I will be present to offer comments, and I am sure that your presence would be appreciated as co-chair of the OBA Estate Planning, Probate and Trust Section Legislation Committee.

Very Truly Yours,

David A. Carpenter

DAC:bms