

## CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY

THIS AGREEMENT is made and entered into on **JANUARY 8, 2008**, between **JOHN A. GREEN** and **NANCY A. GREEN**, of the County of **MARICOPA**, State of **ARIZONA**, herein designated as Co-Trustors; and **JOHN A. GREEN** and **NANCY A. GREEN**, of the County of **MARICOPA**, State of **ARIZONA**, herein designated as Co-Trustees. The name of the trust is **THE JN GREEN FAMILY LIVING TRUST, DATED JANUARY 8, 2008**.

Sample Trust

**IT IS AGREED BETWEEN THE PARTIES HERETO AS FOLLOWS:**

- 1. Description of Trust:** The parties hereto desire to confirm the establishment of a revocable trust on the date first above written, and amendments thereto, for the benefit of Co-Trustors (as husband and wife) and containing, among others, the following provisions:
- 2. Initial Co-Trustees:** The husband and wife are designated as Co-Trustees, to serve until the death, resignation or incompetence of one of them, and the remaining Co-Trustee shall continue to act as sole Trustee.
- 3. Additions to Trust Estate.** Additional property may be added to the trust estate at any time by the Co-Trustors or either of them, or by any person or persons, by inter vivos or testamentary transfer.
- 4. Successor Trustees:** Upon removal of both husband and wife as Co-Trustees, the successor Trustee is designated as **PAUL B. GREEN**. Upon removal of **PAUL B. GREEN** as Trustee, the successor Trustee is designated as **LINDA B. GREEN**. Upon removal of **LINDA B. GREEN** as Trustee, the successor Trustee is designated as **JENYPHER B. GREEN**.
- 5. Power to Alter Succession of Trustees:** After the death of either Co-Trustor, the surviving Co-Trustor shall have full power and authority to alter the succession of trustees by written Designation of Successor Trustee(s) filed with the then acting Trustee.
- 6. Revocable and Irrevocable Provisions:** Upon the death of the first Co-Trustor, hereinafter called the "Deceased Spouse," the then surviving Co-Trustor, hereinafter called the "Surviving Spouse," shall have the power to amend, revoke and/or terminate the **SURVIVOR TRUST only**. If a **DISCLAIMER TRUST** is established, the terms of the **DISCLAIMER TRUST may not be amended, revoked or terminated**. On revocation of the **SURVIVOR TRUST**, all of its assets shall be delivered to the Surviving Spouse. Revocation and amendment shall be made by written instrument filed with the Trustee.

**7. Trustee's Powers:** The Co-Trustees, or the successor Trustee, shall have the power and authority to manage and control the trust property in such manner as the Trustee or successor Trustee may deem advisable, and they shall have, enjoy and exercise all powers and rights over and concerning property and the proceeds thereof as fully and amply as though the Co-Trustees were the absolute and unqualified owners of same, including, but not limited to, the following:

**(a) Power to Manage Trust Property:** The power to grant, exchange, lease, sell and convey real and personal property;

**(b) Power to Borrow:** The power to borrow money and to obligate the trust estate by mortgage, deed of trust, pledge or otherwise;

**(c) Power to Invest:** The power to invest in commodities of every nature, corporate obligations of every kind, precious metals such as gold or silver, stocks, preferred or common, to buy stocks, bonds, commodities and similar investments on margin or other leveraged accounts, to open, operate and maintain a securities brokerage account wherein any securities may be bought and/or sold on margin, and to hypothecate, borrow upon, purchase and/or sell existing securities in such account as the Trustee may deem appropriate or useful, except to the extent that such management would cause includibility of any irrevocable trust in the estate of a Trustee.

**(d) Power to Delegate:** To perform or to delegate to any trustee or non-trustee any non-discretionary power, including the power to singularly or jointly open, close or transfer any type of bank account and savings and loan association account, sign checks, drafts, withdrawal slips or other documents, give instructions for the receipt or delivery of securities or other property, give instructions for the payment or the receipt of money and, singularly or with others, have access to any safe deposit box or other place containing property of this trust.

**8. Distribution after Death of Both Co-Trustors:** Following the death of both Co-Trustors, the trust continues or is distributed in whole or in part for the benefit of other named beneficiaries according to the terms of the trust.

**9. Checking and Savings Accounts:** While both Co-Trustors are living and competent, except when a corporate Trustee is acting hereunder, either Co-Trustor may add money to or withdraw money from any savings or checking account owned by the trust in any financial institution without the approval of the Trustee or other Co-Trustor; provided, however, that the ownership of the funds shall remain the same and the Co-Trustor adding or removing such funds shall gain no additional ownership interest therein than was present prior to the withdrawal from or addition to the trust account.

**10. Separate and Community Property:** All property designated in the documents of title as "SPH" is rebuttably presumed to be separate property of the Husband, "SPW" is rebuttably presumed to be the separate property of the Wife, and "CP" is rebuttably presumed to be community property. If no letters are added, ownership shall be as reflected on the books and records of the Co-Trustors.

**11. Character of All Property Except Joint Tenancy Property Unchanged Upon Transfer to Trust:** All property transferred into the trust which had an original source as community property shall remain community property and all property which had an original source as separate property shall remain separate property of the contributing spouse, unless other provision shall have been made therefor, except that joint tenancy property transferred into the trust shall be converted to community property upon transfer into the trust.

**12. Real and Personal Property:** All personal property transferred into the trust shall remain personal property and all real property transferred into the trust shall remain real property.

**13. Power over Community Property:** Until the death of the first Co-Trustor, no Trustee shall have any more extensive power over community property than would a husband or wife under the laws of the State of ARIZONA.

**14. Trustee's Power to Transfer Assets:** Unless otherwise indicated to a prospective transferee, the Trustee has full power to transfer assets held in the name of the trust, and subsequent transferees shall be entitled to rely upon such transfers, provided the chain of title is not otherwise deficient.

**15. Governing Law:** This trust shall be governed by the laws of the State of ARIZONA.

**16. Spendthrift Provision:** This trust contains a spendthrift provision.

**17. Construction.** Unless the context requires otherwise, words denoting the masculine shall include the feminine and the neuter and vice versa, and words denoting the singular shall include the plural and vice versa.

**18. Trust Agreement to Govern:** The use of this CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY is for convenience only, and the Trust Agreement is solely controlling as to provisions and interpretations, and any conflict between this CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY and the Trust Agreement shall be decided in favor of the Trust Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY the day and year first above written.

CO-TRUSTORS:

CO-TRUSTEES:

\_\_\_\_\_  
**JOHN A. GREEN**

\_\_\_\_\_  
**JOHN A. GREEN**

\_\_\_\_\_  
**NANCY A. GREEN**

\_\_\_\_\_  
**NANCY A. GREEN**

STATE OF ARIZONA     )  
                                          ) ss.  
COUNTY OF MARICOPA )

On **JANUARY 8, 2008**, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **JOHN A. GREEN** and **NANCY A. GREEN**, known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

My Commission Expires:

\_\_\_\_\_  
Notary Public

To: Banks, Savings and Loan, and/or Credit Unions

Date:

From: JOHN A. GREEN and NANCY A. GREEN  
123 MAIN STREET  
MESA, AZ 85207

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: \_\_\_\_\_

Dear Sirs:

We have recently executed a revocable living trust and now desire that the above asset be transferred into the name of the trust, as follows:

JOHN A. GREEN and NANCY A. GREEN, Co-Trustees of THE JN GREEN FAMILY LIVING TRUST DATED JANUARY 8, 2008.

We request that if the above-mentioned account is a checking account, that our checks continue to bear our individual names and not the name of our trust. Please also ensure that any line of credit that may be attached to the account is transferred to the trust. Please proceed to transfer our interest in this asset on your records and forward any documentation for signature to the above address.

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
JOHN A. GREEN

\_\_\_\_\_  
NANCY A. GREEN

To: Brokerage Account Manager, Mutual Fund Account Manager, Stock/Bond Transfer Agent, and/or Investment Administrator

Date:

From: JOHN A. GREEN and NANCY A. GREEN  
123 MAIN STREET  
MESA, AZ 85207

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: \_\_\_\_\_

Dear Sirs:

We have recently executed a revocable living trust and now desire that the above asset be transferred into the name of the trust, as follows:

JOHN A. GREEN and NANCY A. GREEN, Co-Trustees of THE JN GREEN FAMILY LIVING TRUST DATED JANUARY 8, 2008.

Please proceed to transfer our interest in this asset on your records and forward any documentation for signature to the above address.

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
JOHN A. GREEN

\_\_\_\_\_  
NANCY A. GREEN

To: Life Insurance Companies, Retirement Account Managers, Pension Account Managers, and/or Annuity Account Managers

Date:

From: JOHN A. GREEN and NANCY A. GREEN  
123 MAIN STREET  
MESA, AZ 85207

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: \_\_\_\_\_

Dear Sirs:

We have recently executed a revocable living trust and now desire that your company forward a change of beneficiary form to the above address.

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
JOHN A. GREEN

\_\_\_\_\_  
NANCY A. GREEN

To: Title Insurance, Homeowner's Insurance, and/or Automobile Insurance Companies

Date:

From: JOHN A. GREEN and NANCY A. GREEN  
123 MAIN STREET  
MESA, AZ 85207

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: \_\_\_\_\_

Dear Sirs:

We have recently executed a revocable living trust and now desire that you add as an additional insured or transfer the owner and/or named insured on our policies to the following designation:

JOHN A. GREEN and NANCY A. GREEN, Co-Trustees of THE JN GREEN FAMILY LIVING TRUST DATED JANUARY 8, 2008.

Please proceed to name our trust as an additional insured or transfer the owner and/or named insured on our policies on your records and forward any documentation for signature to the above address.

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
JOHN A. GREEN

\_\_\_\_\_  
NANCY A. GREEN