

15840

12/29/58

THIS TRUST INDENTURE, Made this 29th day of December, 1958, between LeRoy  
Glenger and Elvine Glenger, husband and wife, hereinafter called the Donors, and  
James R. Rodgers and Norma Lee Rodgers, hereinafter called the Trustees,

W I T N E S S E T H:

WHEREAS, the Donors desire to establish a trust upon the conditions and for  
the uses and purposes hereinafter set forth:

NOW, THEREFORE, in consideration of the premises and of the mutual covenants  
herein contained, the Donors have conveyed, granted, assigned and delivered to  
the Trustees the property specifically set forth in Schedule "A" hereunto append-  
ed, receipt of which property the Trustees hereby acknowledge. TO HAVE AND TO  
HOLD IN TRUST NEVERTHELESS, for the following uses and purposes, and subject to  
the terms, conditions, powers and agreements hereinafter set forth.

ARTICLE FIRST:

(1) To pay all or such part of the net income to the Donors' grandson, Edward  
Scott Rodgers, until he attains the age of 21 years, as, in the discretion of  
the trustees seems advisable;

(2) To pay out or apply all or such part of the net income for the benefit  
of the said Edward Scott Rodgers, until he attains the age of 21 years, as, in  
the discretion of the trustees seems advisable;

(3) To accumulate, and add to principal and invest as a part thereof, all or  
such part of the net income until the said Edward Scott Rodgers attains the age  
of 21 years, as, in the discretion of the trustees, seems advisable;

(4) To pay to said Edward Scott Rodgers, until he attains the age of 21 years,  
or to pay out for his benefit until that time, all or such part of the accumulated  
income and any earnings thereon as, in the discretion of the trustees seems ad-  
visable;

(5) To pay to said James Scott Rodgers until he attains the age of 21 years,  
or to pay out for his benefit until that time, all or such part of the property  
conveyed to the Trustees at this time or subsequently acquired by the trustees  
under Article Third or Article Fourth below, or otherwise, in the discretion of  
the trustees.

ARTICLE SECOND:

Upon the death of said Edward Scott Rodgers prior to his reaching 21 years of  
age, to pay all unexpended income and all other property remaining in this trust  
to the estate of said Edward Scott Rodgers, or as he may appoint under a general  
power of appointment as defined in Section 2514(c) of the United States Internal  
Revenue Code. Upon said Edward Scott Rodgers attaining the age of 21 years, how-  
ever, to pay said income and property to him, his heirs and assigns forever,  
outright and free of trust.

ARTICLE THIRD:

To invest, reinvest, vary and change any or all of the trust investments here-  
under without restriction to investments authorized by law for trustees; to sell  
any and all property conveyed to them by the Donors, and invest and reinvest the  
proceeds, all as they may deem advisable in their sole discretion. No purchaser  
of said properties or investments, or any part thereof, shall be required to see  
to the application of any purchase moneys paid therefor.

ARTICLE FOURTH:

The donors reserve the right to add to the principal of this trust from time

1 to time by conveying additional property to the trustees, which shall be adminis-  
 2 tered in accordance with the terms of this trust agreement in the same manner as  
 the property conveyed herewith.

3 ARTICLE FIFTH:

4 The donor retains no right to revoke, alter or amend this trust.

5 IN WITNESS WHEREOF, The Donors and Trustees have hereunto set their hands and  
 6 seals the day and year first herein written.

7 LeRoy Gienger (SEAL)  
 8 Elvina Gienger (SEAL)  
 9 James R. Rodgers (SEAL)  
 10 Normal Lee Rodgers (SEAL)

11 STATE OF OREGON )

12 County of Klamath ) SS

13 BE IT REMEMBERED, That on this 29th day of December, 1958, before me, the  
 14 undersigned, a notary public in and for said County and State, personally  
 15 appeared the within named LeRoy Gienger and Elvina Gienger, husband and wife,  
 who are known to me to be the identical persons described in and who executed  
 the within instrument and acknowledged to me that they executed the same freely  
 and voluntarily.

16 IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the  
 day and year last above written.

17 William Linn  
 18 Notary Public for Oregon  
 19 My Commission expires:  
 20  
 21  
 22  
 23

24 EXHIBIT A

25 Ten shares of capital stock of Weyerhaeuser Timber Company.  
 26 a Washington corporation, of the par value of \$7.50 each.

27 STATE OF OREGON; COUNTY OF KLAMATH; ss.

28 Filed for record at request of James R. Rodgers, 1:52  
 this 11th day of September 1967 at 1:00 P.M., and  
 29 duly recorded in Vol. M-67, of Deeds on Page 7023.

30 DOROTHY ROGERS, County Clerk

31 Fee \$ 3.00

By Carol Wheeler

Return to  
 James R. Rodgers  
 P.O. Box 46.  
 Philoquin, Oregon.