

16936

447-7118

1 THIS TRUST INDENTURE, Made this 29th day of December, 1958, between LeRoy
2 Gienger and Elvina Gienger, husband and wife, hereinafter called the Donors, and
3 Glen E. Kircher and Bonnie M. Kircher, hereinafter called the Trustees,

4 W I T N E S S E T H:

5 WHEREAS, The Donors desire to establish a trust upon the conditions and for
6 the uses and purposes hereinafter set forth;

7 NOW, THEREFORE, in consideration of the premises and of the mutual covenants
8 herein contained, the Donors have conveyed, granted, assigned and delivered to
9 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.

10 ARTICLE FIRST:

11 (1) To pay all or such part of the net income to the Donors' granddaughter,
Melinda Lee Kircher, until she attains the age of 21 years, as, in the discretion
of the Trustees, seems advisable.

12 (2) To pay out or apply all or such part of the net income for the benefit of
13 the said Melinda Lee Kircher, until she attains the age of 21 years, as, in the
discretion of the trustees seems advisable;

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

16 (4) To pay to said Melinda Lee Kircher, until she attains the age of 21 years,
17 or to pay out for her benefit until that time, all or such part of the accumula-
ted income and any earnings thereon as, in the discretion of the trustees, seems
advisable;

18 (5) To pay to said Melinda Lee Kircher, until she attains the age of 21 years,
19 or to pay out for her benefit until that time, all or such part of the property
20 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.

21 ARTICLE SECOND:

22 Upon the death of said Melinda Lee Kircher, prior to her reaching 21 years of
23 age, to pay all unexpended income and all other property remaining in this trust
24 to the estate of said Melinda Lee Kircher, or as she may appoint under a general
power of appointment as defined in Section 2514(c) of the United States Internal
25 Revenue Code. Upon said Melinda Lee Kircher attaining the age of 21 years,
however, to pay said income and property to her, her heirs and assigns forever,
26 outright and free of trust.

27 ARTICLE THIRD:

28 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
29 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
30 of said properties or investments, or any part thereof, shall be required to see
to the application of any purchase moneys paid therefor.

31 ARTICLE FOURTH:

32 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 donors retain 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.

Leroy Gienger (SEAL)
Elvina Gienger (SEAL)
Glen E. Kircher (SEAL)
Bonnie M. Buchanan (SEAL)

10 STATE OF OREGON)
11) SS
12 County of Klamath)

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,
16 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.

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

William S. Barry
Notary Public for Oregon
My Commission expires: 11/20/59

23 EXHIBIT A

24 Ten shares of capital stock of Weyerhaeuser Timber Company,
25 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 Leroy Gienger
29 this 13 day of Sept A.D. 1967 at 3:49 clock p M., and
duly recorded in Vol. M-67 of deeds on Page 7118
30 Fee 3.00 DOROTHY ROGERS, County Clerk
31 By [Signature]
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