Vol.<u>mg.</u> Page <u>13909</u>

46668

Recording Requested By And When Recorded Mail To:

American Providers 5433 El Camino, Suite 200 Carmichael, CA 95608

Mail Tax Statements To: MINERVA E. RICHARDS 428 Cedar Court Lodi, California 95240

AFFIDAVIT - DEATH OF TRUSTEE

ss.

STATE OF CALIFORNIA

COUNTY OF SAN JOAQUIN

MINERVA E. RICHARDS, of legal age, being first duly sworn, deposes and says:

That PEARLEY K. RICHARDS, the decedent mentioned in the attached certified copy of Certificate of Death (Exhibit "A"), is the same person as PEARLEY K. RICHARDS named as one of the parties in that certain Trust Transfer Deed dated March 30, 1990, executed by PEARLEY K. RICHARDS and MINERVA E. RICHARDS wherein decedent and affiant are sole Settlors and Trustees of the RICHARDS FAMILY LIVING TRUST DATED MARCH 30, 1990, as well as Beneficiaries under said Trust; it being further acknowledged that Affiant is the surviving Settlor and Beneficiary and named successor sole Trustee of said Trust according to the terms of said Living Trust Declaration, as evidenced by the copy of the Certified Abstract of Living Trust attached hereto as Exhibit "B". The original Trust Transfer Deed aforementioned is recorded as Instrument No. 13799, on April 20, 1990, in Vol. M90, Page 7359, in the Official Records of Klamath County, State of Oregon, covering the following described property situated in the County of Klamath, State of Oregon:

BLOCK 76, LOT 18, OF THE 7th ADDITION TO NIMROD RIVER PARK as shown on map in official records of said county.

A.P.N.: 3611-9B-6000

| Dated: | <u>_1-10</u> , | 1992 MINERVA E. RICHA | En in haride |
|--------|----------------|--------------------------|--------------|
|--------|----------------|--------------------------|--------------|

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Affidavit is executed on 4-10, 1992, at SAN JOAQUIN County, California.

IL E 24 RICHARDS MINERVA E.

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10th day of before me this то SWORN SUBSCRIBED AND _**,**1992. ADD-1 Mallell OFFICIAL SEAL Notary Public: 9-3-94 KENT SEIBEL NOTARY PUBLIC CALIFORNIA Principal Office in San Joaquin County My Commission Expires Sept 3, 1994

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| • | · | STATE C | A" 1/2 TE OF DEATH | 3 91 39 | |
|--------------------|--|----------------------------------|-----------------------------------|--------------------------------------|-----------------------------|
| \sim | STATE FILE NUMBER | | ACK INK ONLY TC. LAST (FAMILY) | 2A. DATE OF DEATH-MO. | |
| | A. NAME OF DECEDENT-FIRST | 18. MIDDLE | TC. LAST (FAMILT) | | |
| | Pearley | К. | Richards | December 12, 19 | |
| * - | 4. RACE | S. HISPANIC SPECIFY | 6. DATE OF BIRTH-MO | | 1 YEAR IF UNDER 24 HOURS |
| | | | No March 11, 191 | | |
| | White | L YES | No Parcit 11, 191 | 11A. FULL MAIDEN NAME OF M | OTHER TIB. STATE OF |
| DECEDENT | 8. STATE OF 9. CITIZEN OF WHAT BIRTH COUNTRY | TOA. FULL NAME OF FATHE | BIRTH | The Poce malacer make of m | BIRTH |
| PERSONAL | OK U.S.A. | Louis Richards | KY KY | Elizbeth Long | KY |
| DATA | | SOCIAL SECURITY NO. | 14. MARITAL STATUS | S. NAME OF SURVIVING SPOUSE | IF WIFE, ENTER MAIDEN NAMES |
| | | | | Minere Evelo | |
| | 19 TO 19XX NONE | 445-01-2334 | Married | Minerva Froke | |
| | 16A. USUAL OCCUPATION | 168. USUAL KIND OF BUSINESS | 16C. USUAL EMPLOYER | 160. YEARS IN 17. EDU | CATION-YEARS COMPLETED |
| | | | Peterbilt Motors | 16 8 | |
| | Welder | Trucking | releaded to build | | 118C, ZIP CODE |
| | 184. RESIDENCE-STREET AND NUMBE | ER OB CATION | | | 105010 |
| | 428 Cedar Ct. | () | | Lodi | 95240 |
| USUAL RESIDENCE | 180. COUNTY | OL 2 IBE. NUMBER OF YEA | RS . 18F. STATE OR FOREIGN COU | NTRY 20. NAME, RELATIONSHIP, MAI | UNG ADDRESS |
| HEDIOCHOL | | IN THIS COUNTY | | AND ZIP CODE OF INFORM | La (LISEA) |
| | San Joaquin | 12 | California | Minerva Richard | is (wrie) |
| | 194. PLACE OF DEATH | 198. IF HOSPITAL SP | ECIFY 19C. COUNTY | 428 Cedar Ct. | |
| PLACE | Pagidanaa | ONE: IP. ER/OP. | San Joaquin_ | Iodi, CA 95240 |) |
| 0# | Residence | I 19E. C | | | ATH REPORTED TO CORONER? |
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| | 428 Cedar Ct. | ii | Lodi | AND DEATH X YE | |
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| | IMMEDIATE GULKLIST | MONND J CH | IST. | MINUTES Y | NO NO |
| | CAUSE IN CIUNSPIOL | | | 24A, WAS A | UTOPSY PERFORMED? |
| CAUSE | | v | | | |
| DEATH | OUE TO (B) | | | Pi C Ye | S NO |
| | | | | | DEATH? |
| | | | | | S NO |
| | 25. OTHER SIGNIFICANT CONDITIONS C | ONTRIBUTING TO DEATH BUT NOT REL | ATED TO CAUSE GIVEN IN 21 26. | WAS OPERATION PERFORMED FOR ANY | CONDITION IN ITEM 21 OR 257 |
| | 25. OTHER SIGNALCART CONDITIONS C | | | IF YES, LIST TYPE OF OPERATION AND D | ATE. |
| | | | | | NUMBER 27D. DATE SIGNED |
| ···· | I CERTIFY THAT TO THE BEST OF MY KI OCCURRED AT THE HOUR, DATE AND PI | NOWI EDGE DEATH 278. SIGNA | TURE AND DEGREE OR TITLE OF CE | ATIFIER 27C. CERTIFIER'S LICENSE | NUMBER 270. UATE SIGNED |
| PHYAI | CAUSES STATED. | | | 1 | |
| CIAN'S | 27A. DECEDENT ATTENDED SINCE DEC | EDENT LAST REEN ALIVE 27E. TYPE | ATTENDING PHYSICIAN'S NAME | E AND ADDRESS | U |
| CENTIFICA. TION | MONTH, DAY, YEAR | MONTH, DAT, TEAR | | | ျပ |
| | | | | | 288. DATE SIGNED |
| | I CERTIFY THAT IN MY OPINION DEATH | OCCURAED AT 284. SIGNA | TURE AND TITLE OF CONONER OR | DEPUTY CORONER | 1 280. DATE SIGNED |
| | THE HOUR, DATE AND PLACE STATED | FROM THE CAUSES | HOVA HOVA | an Donatel acon | 101 (2-12-9(n |
| | | WH Acrident 30A. PLACE OF INJU | ato to cons | 308. INJURY AT WORK 30C. DATI | E OF INJURY 31, HOUR |
| CORONER'S | 29. MANNER OF DEATH-specify one nat | | ** \ | мон | TH, DAY, YEAR |
| USE | PENDING | | | L YES NO | |
| U.C. | 32. LOCATION ISTREET AND NUMBER C | DR LOCATION AND CITY | 33. DESCRIBE | HOW INJURY OCCURRED (EVENTS WI | HCH RESULTED IN INJURY) |
| | | | 1 tou | D. Ist. | |
| | | | DORESS 34C. DATE | STAL SIGNATURE OF EMBAL | INFR 358, LICENSE |
| FUNERAL | 34A. DISPOSITIONISI 348. PLACE | ee Memorial Park | MD, DA | Y. YEAR 1. 11 (2) /4 | IN NUMBER |
| DIRECTOR | Burial Hwy 99 | & Harney Ln. Lodi | . CA 12-16- | 91 MH Soched | DEC 1 6 1991 |
| AND | 36A. NAME OF FUNERAL DIRECTOR IOR | PERSON ACTING AS SUCHI 388. LIC | CENSE NO. 37. SIGNATURE OF | F LOCAL REGISTRAR | 38 REGISTRATICN DATE |
| LOCAL | | | | Flin mer MAN | 1 UEC 1 6 1991 |
| REGISTRAR | Rocha's Mortuary | | | May us n. D. | |
| STATE | A. 8. | C. C |). E. (/ [*] | FU | CENSUS TRACT |
| REGISTRAR | | | - | | 4304 |
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| 43-11 (HEV. 3- | -211 | | | | |

I, Jogi Khanna, M.D., Local Registrar of Vital Statistics for the County of San Joaquin, do hereby certify that, if bearing the seal of the Public Health Services of San Joaquin County, the foregoing is a true and correct copy of the certificate on file in my office.

Jogi Chana HJ.

Date: DECEMBER 30, 1991

Deputy Registrar

Exhibit "A" 2/2

| | • | | Exhil | bit | "A" | 2/ | 2 | | | 3 | 9 | 1 |
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I, Jogi Khanna, M.D., Local Registrar of Vital Statistics for the County of San Joaquin, do hereby certify that, if bearing the seal of the Public Health Services of San Joaquin County, the foregoing is a true and correct copy of the certificate on file in my office.

Jogi Chauna HJ. By: Telanna Hashine

Deputy Registrar

Date: DECEMBER 30, 1991

Exhibit "B" 1/4

CERTIFIED ABSTRACT OF LIVING TRUST DECLARATION

RICHARDS FAMILY LIVING TRUST Initially Created <u>March 30, 1990</u>

1. <u>Establishment of Trust</u>. PEARLEY K. RICHARDS and MINERVA E. RICHARDS, Settlors, and PEARLEY K. RICHARDS and MINERVA E. RICHARDS, Trustees, have executed a Living Trust Declaration on <u>Mouch 30, 1990</u>, establishing the RICHARDS FAMILY LIVING TRUST, which trust is not of record in any court.

2. <u>Beneficiaries</u>. The present beneficiaries under the terms of said Living Trust Declaration are the Settlors.

3. <u>Trustees and Successors</u>. The initial Co-Trustees of this trust shall be PEARLEY K. RICHARDS and MINERVA E. RICHARDS. Either PEARLEY K. RICHARDS or MINERVA E. RICHARDS, however, may act as sole Trustee Of his or her separate property assets held in the trust estate. Upon the death, resignation or incapacity Of either PEARLEY K. RICHARDS or MINERVA E. RICHARDS as Co-Trustee or as sole Trustee, the successor Trustee is designated as the survivor of them. Upon the death, resignation or incapacity of both PEARLEY K. RICHARDS and MINERVA E. RICHARDS, the successor Trustee is designated as GERALD R. RASMUSSEN. Upon the death, resignation or incapacity of GERALD R. RASMUSSEN, the successor Trustee is designated as RONAYNE J. RASMUSSEN.

4. <u>Powers of Trustee</u>. The Trustee is vested with and has all the rights, duties, powers and privileges which an absolute owner of property would have. The powers and authority of the Trustee with respect to the trust property include, but are not limited to, the following:

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A. To sell, for cash or on deferred payments, exchange, transfer, convey, grant options, lease without limitation as to term, borrow upon, and hypothecate all or any part of the trust property; and to retain, maintain, repair, divide, partition, improve, and otherwise manage any trust property;

B. To commence or defend, at the expense of the trust, legal actions relating to the trust or any trust property as the Trustee deems advisable;

C. To buy, sell, invest, reinvest and trade in securities of any nature on margin or otherwise, including options, commodities and short sales, and for such purpose to maintain and operate brokerage accounts with brokers; to vote and give proxies to vote trust securities, pay assessments or other charges levied; exercise Or not exercise, as the Trustee may deem advisable, subscriptions, conversion rights, or other rights or options that pass to holders of such stocks or securities; and to enter into shareholder agreements;

Exhibit "B" 2/4

D. To participate in any plans or proceedings for foreclosure or consolidation, merger, liquidation, or other reorganization of any corporation or organization having securities that are held as trust property and, in connection therewith, to deposit securities with or transfer title or securities, upon the terms that the Trustee deems advisable, to any protective or other committee established in connection with any such plan or proceeding;

E. To borrow money and to finance or re-finance trust real or personal property on such terms and conditions as the Trustee deems advisable and to obligate the trust to repay the borrowing by mortgage, deed of trust, pledge or otherwise;

F. To perform or to delegate to any trustee or nontrustee, any non-discretionary power, including the power to singularly or jointly open, close or transfer any type of bank accounts and savings and loan association accounts, 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 with property of the trust created pursuant to this trust as deposited;

G. Notwithstanding any other provision of this instrument, to the extent permitted by law, to convert community property of the Settlors into the separate property of each or either in order to take advantage of the provisions of California Welfare and Institutions Code Section 14006.2 (Catastrophic Illness Provision) and any other similar federal or state laws which may be applicable at the time of such conversion;

H. Unless otherwise provided for in establishing title to assets of the trust, while both Settlors are acting as Trustees, either Settlor, as Trustee, shall have the power to act alone on behalf of both Settlors as Trustees;

I. To subdivide and resubdivide trust real property and sign applications, maps, and other documents incidental thereto, dedicate trust real property for public purposes, with or without consideration, grant and impose upon trust real property conditions, covenants, easements, restrictions, rights of way, and other servitudes.

5. <u>Federal Identification Number</u>. Treasury Regulations that apply to the RICHARDS FAMILY LIVING TRUST specify that, while both Settlors are living and at least one Settlor is acting as Trustee, a Settlor's Social Security number shall be used for Federal Identification Number purposes. At such time as there is no Settlor acting as a Trustee or at such time as a portion of the trust becomes irrevocable, a Federal Identification Number will be required. Exhibit "B" 3/4 IN WITNESS WHEREOF, we have signed this Certified Abstract of Living Trust Declaration on <u>Mar. 30, 1990</u>.

SETTLORS:

TRUSTEES:

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STATE OF CALIFORNIA)) ss. COUNTY OF SAN JOAQUIN)

On <u>Mar. 30</u>, 19 <u>90</u>, before me, the undersigned, a Notary Public in and for said County and State, personally appeared PEARLEY K. RICHARDS and MINERVA E. RICHARDS, personally 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.

Notary Public

Exhibit "B" 4/4 ATTORNEY'S CERTIFICATION

The undersigned, attorney for PEARLEY K. RICHARDS and MINERVA E. RICHARDS, as Settlors and Trustees of the RICHARDS FAMILY LIVING TRUST initially created on <u>Mar. 30, 1990</u>, hereby certifies that said trust is a revocable trust.

In said attorney's opinion, Treasury Regulations that apply to the trust do not require a separate employer identification number at this time. Additionally, in said attorney's opinion, the trust is designed in such a way that a transfer of real property to the trustees does not change equitable ownership, therefore, it comes within the exempt provisions for assessor's re-evaluation purposes.

Title to assets should be taken as follows:

PEARLEY K. RICHARDS and MINERVA E. RICHARDS, as Trustees of the RICHARDS FAMILY LIVING TRUST Initially Created <u>March 30, 1990</u>.

Title to separate property assets held in trust may be taken as follows:

PEARLEY K. RICHARDS, as Trustee of the Separate Property of PEARLEY K. RICHARDS The RICHARDS FAMILY Living Trust Initially Created <u>Man. 30, 1996</u>.

MINERVA E. RICHARDS, as Trustee of the Separate Property of MINERVA E. RICHARDS The RICHARDS FAMILY Living Trust Initially Created <u>Mar. 30, 1995</u>.

Dated: 3-30-90 . E. SARAZEN, Attorney at Law

STATE OF OREGON: COUNTY OF KLAMATH: ss.

| Filed for of | record at request of June A.D., 19 92 of | On Page On Page Deeds On Page Co | ounty Clerk |
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| FEE | \$40.00 | By Douccuss | Aluciander |