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04/29/2019 08:45:40 AM

Fee: \$107.00

16PB03307

County of KLAMATH)
STATE OF OREGON)I hereby certify that the within is a
true and correct copy and the whole
of the original.

Clerk of Court

By

Date



IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH

In the Matter of the Gesner Family Trust
dated the 19th day of October, 1994, and
amended the 24th day of August, 2009.

Case No. 16PB03307

**ORDER GRANTING AMENDED
MOTION FOR REMOVAL OF
CURRENT SUCCESSOR
TRUSTEE AND
APPOINTMENT OF NEW
SUCCESSOR TRUSTEE**

THIS MATTER having come before the court for hearing on April 6, 2018 on the Objection filed by trust beneficiary, Earnest Gesner, Jr., by and through his attorney, Megan Annand, to the Amended Motion of Barbara M. Dilaconi, attorney for Hope White, requesting the removal of Michael P. Rudd as the current Successor Trustee for the Gesner Family Trust dated the 19th day of October, 1994, and amended the 24th day of August, 2009, and for the appointment of John M. Grimes, CPA, CLPF, NCG, of Grimes & Company, as Successor Trustee. All beneficiaries to the trust appeared at the hearing on April 6, 2018. Ernest Gesner, Jr. and his attorney, Megan Annand, Hope White and her attorney, Barbara M. Dilaconi and Sherry Neibergall and her attorney, Drew Humphrey, were in court on April 6, 2018. The court having heard arguments of counsel, and having reviewed said motion and supporting affidavit, and the records and files herein.

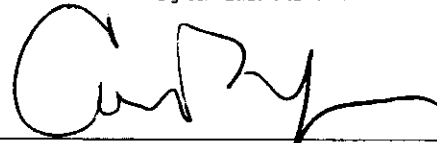
NOW, THEREFORE, it is hereby ORDERED that:

1) Michael P. Rudd's declination to act as Successor Trustee for the Gesner Family Trust dated the 19th day of October, 1994, and amended the 24th day of August, 2009 dated on or about November 8, 2017 is acknowledged, and his appointment is officially terminated.

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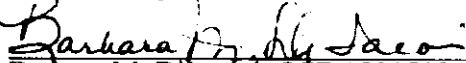
1 2) John M. Grimes is appointed as the Successor Trustee for the Gesner Family
2 Trust dated the 19th day of October, 1994, and amended the 24th day of August, 2009.
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Signed: 4/23/2018 02:19 PM



Circuit Court Judge Cameron F. Wogan

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15 Submitted by:



16 Barbara M. Dilaconi, OSB #911510
17 Attorney for Hope White
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4 IN THE CIRCUIT COURT FOR THE STATE OF OREGON
5 FOR THE COUNTY OF KLAMATH

6 In the Matter of the Gesner Family Trust dated
7 the 19th day of October, 1994, and amended the
8 24th day of August, 2009.

Case No. 16PB03307

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11 **CERTIFICATE OF MAILING**

12 I certify that I served the foregoing **proposed ORDER GRANTING AMENDED**
13 **MOTION FOR REMOVAL OF CURRENT SUCCESSOR TRUSTEE AND**
14 **APPOINTMENT OF NEW SUCCESSOR TRUSTEE** on the parties listed below **VIA**
15 **EMAIL** and by depositing a true, full and exact copy thereof in the United States Post Office at
16 Klamath Falls, Oregon, on April 11, 2018, enclosed in a sealed
17 envelope, with postage paid, addressed to the following:

18 Drew Humphrey (drew@brandsnessrudd.com)
19 Brandsness, Brandsness & Rudd
20 411 Pine Street
21 Klamath Falls, OR 97601

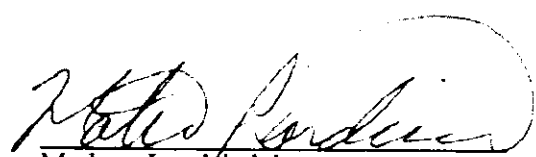
22 Megan Annand (megan.annand@gmail.com)
23 Attorney at Law
24 6101 Griffin Ln
25 Medford, OR 97501

26 Michael P. Rudd (mike@brandsnessrudd.com)
Brandsness, Brandsness & Rudd
411 Pine Street
Klamath Falls, OR 97601

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Sandra L. Johnson (sjohnson@sljlegal.com)
Attorney at Law
1923 Court Street
Redding, CA 96001


Mathew Landsiedel
Administrative Assistant

<p>RECORDING REQUESTED BY:</p> <p>GARY BRICKWOOD</p> <p>AND WHEN RECORDED MAIL TO:</p> <p>BRICKWOOD LAW OFFICE 1135 Pine St., Suite 210 Redding, CA 96001</p> <p>APN: R381642 FILE NO: 7021-1985734 (ALF)</p>	<p>Recorder's Use Only NO TAX DUE</p>
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AFFIDAVIT OF SUCCESSOR TRUSTEE

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$0.00 CITY TAX \$0.00

- ☐ Computed on full value of property conveyed, or
- ☐ Computed on full value of items or encumbrances remaining at time of sale.

X - Unincorporated area _____ City of Klamath County, State of Oregon, and

John M. Grimes states that he is the Successor Trustee of the Gesner Family Trust dated the 19th day of October, 1994 and amended the 24th day of August, 2009 regarding that real property in the Unincorporated area of County of Klamath, State of Oregon, described as follows:

THAT PORTION OF LOT 3 AND THAT PORTION OF THE SOUTH HALF
OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 37
SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, LYING
SOUTH OF THE HIGHWAY AS PRESENTLY LOCATED AND
CONSTRUCTED.

I, John M. Grimes, declare under penalty of perjury that the above is true and correct based on my personal knowledge.

Dated: January 17, 2019


 JOHN M. GRIMES

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

~~Signature of Document Signer No. 1~~

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Maricopa

Subscribed and sworn to (or affirmed) before me

on this 17th day of January, 2019.
by Date Month Year

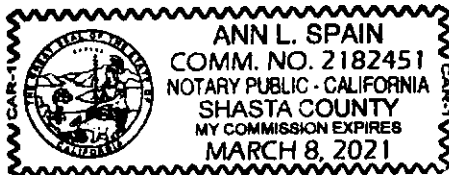
(1) JOHN MICHAEL GRIMES

(and (2))

(and (2) _____)
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.

Signature [Signature]
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit of Successor Trustee Document Date: January 17, 2019
Number of Pages: 1 Signer(s) Other Than Named Above: N/A