

2021-015376

Klamath County, Oregon



00288950202100153760140141

10/12/2021 03:37:48 PM

Fee: \$147.00

RECORDING COVER SHEET (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

AFTER RECORDING RETURN TO: ORS 205.234(1)(c)

PARKS & RATLIFF, P.C.
620 Main Street
Klamath Falls, OR 97601

SEND TAX STATEMENTS TO: ORS 205.234(1)(e)

No Change

1. Title(s) of the transaction(s) ORS 205.234(1)(a)

QUITCLAIM DEED

2. Direct party(ies) / grantor(s) Name(s) & Address(es) ORS 205.234(1)(b)

Eileen Gibbons and Keith D. Goode
Successor Co-Trustees of The Juanita S. Goode Trust
uad November 8, 1999
c/o Eileen Gibbons
35 Promontory Point
Reno, NV 89519

3. Indirect party(ies) Name(s) & Address(es) ORS 205.234(1)(b)

Eileen Gibbons and Keith D. Goode
Successor Co-Trustees of The Juanita S. Goode Trust
uad November 8, 1999
c/o Eileen Gibbons
35 Promontory Point
Reno, NV 89519

4. True and actual consideration:

ORS 205.234(1) Amount in dollars or other;

0.00 Dollars

Other: For estate planning purposes

5. Satisfaction of lien, order, or warrant:

ORS 205.234(1)(f): _____ FULL _____ PARTIAL

6. The amount of the monetary obligation imposed by the lien, order, or warrant: ORS 205.234(1)(f)

\$0.00

7. Previously recorded document reference: 2012-012474

8. If this instrument is being re-recorded complete the following statement: ORS 205.244(2)

Rerecorded at the request of Parks & Ratliff, P.C., to correct the legal description of Parcel 3 by inserting the following:
"Lots 11, 12, 13, 14, 15, and 16, of Block 18, and Lots" on the Quitclaim Deed previously recorded in book
_____ at page _____, or as fee number 2012-012474."

AFTER RECORDING RETURN TO:
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls OR 97601



11/08/2012 03:51:03 PM Fee: \$97.00

GRANTOR'S NAME AND ADDRESS:
Eileen Gibbons and Keith D. Goode
Successor Co-Trustees of The Juanita S. Goode Trust
U.A.D. November 8, 1999

GRANTEE'S NAME AND ADDRESS:
Eileen Gibbons and Keith D. Goode
Successor Co-Trustees of The Juanita S. Goode Trust
U.A.D. November 8, 1999

SEND TAX STATEMENTS TO:
Eileen Gibbons
24737 Prospect Avenue
Los Altos Hills, CA 94022

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that **EILEEN GIBBONS and KEITH D. GOODE, SUCCESSOR CO-TRUSTEES OF THE JUANITA S. GOODE TRUST, U.A.D. NOVEMBER 8, 1999**, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto **EILEEN GIBBONS and KEITH D. GOODE, SUCCESSOR CO-TRUSTEES OF THE JUANITA S. GOODE TRUST U.A.D. NOVEMBER 8, 1999**, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

As more specifically set out on Exhibit "A" attached hereto and incorporated herein by this reference.

To have and to hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration; i.e., trust administration purposes.

Attached hereto as Exhibit "B" and incorporated herein by this reference is a Certification of Trust, setting forth the current status of the Juanita S. Goode Trust, U.A.D., November 8, 1999.

Attached hereto as Exhibit "C" and incorporated herein by this reference is the Fourth Amendment to the trust agreement, which sets for the current name of the trust.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 8 day of November, 2012.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO

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INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY,
UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11,
CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855,
OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Eileen Gibbons
Eileen Gibbons, Successor Co-Trustee
Keith D. Goode
Keith D. Goode, Successor Co-Trustee

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 8th day of
November, 2012, by Eileen Gibbons as Successor Co-Trustee of The Juanita S. Goode
Trust, U.A.D. November 8, 1999.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-14

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 8th day of
November, 2012, by Keith D. Goode as Successor Co-Trustee of The Juanita S. Goode
Trust, U.A.D. November 8, 1999.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-14

EXHIBIT "A"

LEGAL DESCRIPTIONS OF PROPERTIES CONVEYED

PARCEL 1:

The S½SW¼SE¼ and the SW¼SE¼SE¼ of Section 9, Township 39 South, Range 9 East of the Willamette Meridian,

EXCEPT a tract of land conveyed to the City of Klamath Falls by deed recorded April 27, 1978, in Volume M78, Page 8335, of the Deed Records of Klamath County, Oregon.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No. R539956

Tax Lot Map No.: R-3909-009D0-00800-000

PARCEL 2:

Parcel 2 of Land Partition 10-03, being a parcel of land situated in the SE¼ of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, as the same appears in the records of the County Clerk of Klamath County, Oregon.

Tax Account No.: R539938

Tax Lot Map No.: R-3909-009D0-00500-000

PARCEL 3:

Lots 11, 12, 13, 14, 15,
and 16, of Block 18, and Lots

An undivided one-half (1/2) interest in and to all of Blocks 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, and 26 in EWAUNA PARK according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, SAVING AND EXCEPTING any portion located in the Southside By-Pass.

ALSO EXCEPTING the portion conveyed to Regional Disposal Company in December 2005 described as follows: THE PARCEL OF LAND situated in the NE¼SW¼ of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of Ewauna Park Subdivision according to the official plat thereof on file in the office of the Klamath County Clerk, more particularly described as follows: BEGINNING at a point on the Easterly right-of-way line of Tingley Lane (formerly Manzanita Way), said point being the intersection of said Easterly line with the South right-of-way line of Birch Street (now vacated) of said Ewauna Park Subdivision; thence South 70°19'42" E. along the South right-of-way line of said vacated Birch Street, a distance of 191.00 feet to a point; thence N. 19°40'18" E. perpendicular to the said South right-of-way line, a distance of 50.00 feet to a point on the North right-of-way line of said vacated Birch Street; thence S. 70°19'42" E. along said North right-of-way line, a distance of 325.34 feet to a point on the East line of said NE¼SW¼ of said Section 9; said point being South 00°06'02" W. 561.65 feet from the NE corner of said NE¼SW¼; thence South 00°06'06" West along said East line of the NE¼SW¼; a distance of 477.59 feet to the Southeast corner of Lot 1, Block 20, of said Ewauna Park Subdivision; thence North 70°19'42" W., along the Southerly lines of the following lots: Lot 1 of Block 20, Lots 10 and 17 of Block 18 and Lots 8, 9, and 10 of Block 15, a distance of 676.32 feet to the Southwest corner of said Lot 8; thence North 19°40'18" East along the West line of Block 15, a distance of 400.00 feet to the Point of Beginning; containing 5.94 acres more or less.

Tax Account No.: R539689

Tax Map Lot No.: R-3909-009C0-00600-000

PARCEL 4:

An undivided one-half interest in and to that tract of land situated in the E½NW¼ Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying easterly of the Southern Pacific Railroad right-of-way and lying westerly of the Southside By-pass.

Tax Account No.: R579788
Tax Lot Map No.: R-3909-016B0-00100-000

PARCEL 5:

Lot 1, Tract 1343, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No. R885785
Tax Lot Map No.: R-3909-012BA-04300-000

PARCEL 6:

NE¼SE¼ of Section 16, Township 40 South, Range 13 East of the Willamette Meridian.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No.: R629635
Tax Lot Map No.: R-4013-00000-03600-000

PARCEL 7:

The Southwesterly 35 feet of Lot 8 in Block 49 Nichols Addition to the City of Klamath Falls. EXCEPT the Southeasterly 7 feet, deeded to the City of Klamath Falls, for alley, by Deed recorded October 16, 1923, in Book 63, Page 67, Deed Records, Klamath County, Oregon.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No. R413699
Tax Map No.: R-3809-032AA-06600-000

PARCEL 8:

BEGINNING at the most Northerly corner of Lot 7 in Block 34 in the Original Town of Klamath Falls (Formerly Linkville), Oregon, which point is at the intersection of the Southeasterly line of Main Street with the centerline of the wall between the storeroom of the building situate on the premises herein described and the storeroom in the same building which is located on Lot 7 of said block; thence Northeasterly along the Southeasterly line of Main Street a distance of 22.5 feet; thence Southeasterly parallel to the line between Lots 7 and 8 of said Block 34 a distance of 100 feet to the Northwesterly line of the alley; thence Southwesterly along the Northwesterly line of the alley a distance of 22.5 feet to the Southwesterly line of Lot 8; thence Northwesterly along the Southwesterly line of Lot 8, which line is also the centerline of the wall above mentioned, a distance of 100 feet to the point of beginning, being a portion of said Lot 8 in Block 34.

Tax Account No. R476274
Tax Lot Map No.: R3809-032AC-01400-000

PARCEL 9:

An undivided one-half interest in and to the N½ of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, lying Easterly of the right-of-way of the Central Pacific Railway Company as described in deed recorded March 23, 1929, in Volume 85, page 461, Deed Records of Klamath County, Oregon,

EXCEPT THE FOLLOWING, to-wit:

The E½ of NE¼NE¼ of said Section 16; and that certain tract of land conveyed to James Wells Hunt and wife by deed dated and recorded April 6, 1954, in Volume 266, page 259, Deed Records of Klamath County, Oregon, described as follows: A tract of land in the SE¼NE¼ of said Section 16 lying adjacent to the West right of way of the County Road known as Washburn Way, described as follows: Beginning South 0°11' West 427.42 feet and South 89°57' West 30.0 feet from the initial point described on the plat of "Altamont Small Farms"; said initial point being South 0°06' East 1344 feet from the Northwest corner of Section 15 in said Township and Range; thence South 89°57' West 178.71 feet; thence South 0°11' West 208.71 feet; thence North 89°57' East 178.71 feet; thence North 0°11' East 208.71 feet, to the point of beginning.

ALSO EXCEPTING that portion deeded to United States of America by Deed Recorded August 8, 1908, in Volume 24 on page 495, records of Klamath County, Oregon.

ALSO EXCEPTING that portion acquired by the State of Oregon by and through its Department of Transportation under Stipulated Final Judgment, Docketed June 8, 1987, Case No. 85-750CV, in the Circuit Court of Klamath County, Oregon.

ALSO EXCEPTING that portion deeded to Klamath County in Deed Volume M96 on page 26133, records of Klamath County, Oregon.

ALSO EXCEPTING an undivided one-half interest in and to that portion of the E½NW¼, Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying easterly of the Southern Pacific Railroad right-of-way and lying westerly of the Southside By-Pass deeded to Juanita Fairclo, nka Juanita S. Goode, Trustee of the Juanita Fairclo Trust, U.A.D., 11-08-1999, recorded September 10, 2007, in Volume 2007, page 015868, official records of Klamath County, Oregon.

ALSO EXCEPTING an undivided one-half interest in and to that portion of the SW¼NE¼, Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying easterly of the Southern Pacific Railroad right-of-way and lying westerly of the Southside By-Pass.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No.: R579591

Tax Lot Map No.: R-3909-01600-00200-000

PARCEL 10:

AN UNDIVIDED ONE-HALF INTEREST in and to that portion of the SW¼NE¼, Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying easterly of the Southern Pacific Railroad right-of-way and lying westerly of the Southside By-Pass.

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

Tax Account No.: 894899

Tax Lot Map No.: R-3909-01600-00201-000

CERTIFICATION OF TRUST

CERTIFICATE OF TRUST (ORS 128.860)

1. **Date of Existence and Execution of Trust.**

The trust was executed on November 8, 1999, and is currently in existence.

2. **Trustor/Trustee.**

- a. The Trustor is: JUANITA FAIRCLO, aka JUANITA S. GOODE,
- b. The currently acting Successor Co-Trustees are:

EILEEN GIBBONS and
KEITH D. GOODE

3. **Trust Powers.**

The powers of the Trustee are as follows:

The Trustee is empowered to do all things appropriate for the orderly administration of the trust subject to the Trustee's power and control, unless otherwise specifically provided herein. Without limiting this general power, and without limitation of other powers hereby granted or otherwise possessed by the Trustee, including those specified in the Uniform Trustees' Powers Act in effect in Oregon as it may be amended from time to time, the Trustee shall have the following powers and discretion, which the Trustee shall exercise in such manner and upon such terms and conditions as the Trustee shall deem necessary, desirable or convenient:

Powers of the Trustee. In accordance with the terms of the Trust, Trustee shall have all powers conferred upon a Trustee by Oregon law as now existing or as later amended. In addition, the Trustee shall have the following powers:

- a. **Manage and Dispose of Assets.** To manage, maintain, improve, lease, grant options on, encumber, sell, exchange or otherwise dispose of part or all of the Trust Estate in any manner and on any terms the Trustee considers beneficial to the Trust Estate.
- b. **Retain Assets.** To retain any property for as long as the trustee considers such retention to be of probable benefit to the Trust Estate and to the Trust beneficiaries.
- c. **Make Investments.** To invest and reinvest the trust estate in common or preferred stocks, bonds, mutual funds, common trust funds, secured and

unsecured obligations, mortgages and other property, real or personal, which the Trustee considers advisable and in the best interest of the Trust Estate, whether or not authorized by law for the investment of trust funds.

- d. **Receive Compensation.** To receive reasonable compensation for the Trustee's own services and reimbursement for expenses incurred in administering the Trust Estate.
- e. **Loans.**
 - (1) **Loans to Trust.** The trustee shall have the power, in the Trustee's sole discretion, to advance funds to any Trust herein created for any Trust purpose. Such advances, together with interest at current rate, shall be a first lien on and shall be repaid out of principal and as an expense of the Trust and shall reimburse the Trustee from principal or accumulated income for any loss or expense incurred by reason of the Trustee's ownership or holding of any property in this Trust.
 - (2) **Loans to Beneficiaries.** The Trustee may, at any time and upon successive occasions, loan such sums to the beneficiaries, or any of them, as the trustee shall deem advisable and in the best interests of the beneficiaries. Such loans, if made, shall bear interest at the prevailing rate and shall be unsecured or secured, as the Trustee, in Trustee's sole discretion, may direct; provided, however, that the Trustee shall have wide discretion in the making or the denial of any such loan and the Trustee's judgment in the matter shall be conclusive and binding upon any beneficiary requesting any such loan.
- f. **Purchase Assets and Make Loans.** To purchase assets at their fair market value (as determined by the Trustee) from Trustor's probate estate or Trust Estate and to make secured or unsecured loans to Trustor's probate estate or the Trust Estate for any reason which the Trustee believes will benefit Trustor's probate estate or the Trust Estate.
- g. **Make elections, Decisions and Distributions.** To make any election or decision available under federal or state tax laws, to make pro-rata or non-pro-rata distributions, without regard to any differences in tax bases of assets distributed, and to make distributions in cash, in specific property, in undivided interests in property, or partly in cash and partly in property. The good faith decision of the Trustee in the exercise of these powers shall be conclusive and binding upon all parties, and the trustee need not make any adjustments among beneficiaries because of any election, decision or distribution.
- h. **Choose Manner of Making Distributions.** To make any distribution in any of the following ways to a beneficiary who is a minor, incompetent, under

legal disability or considered by the Trustee to be unable to handle property if paid to him directly, without liability to the trustee:

- (1) Directly to the beneficiary.
 - (2) To the beneficiary's guardian or conservator, to a custodian under the Oregon gifts to minors law or to any other fiduciary.
 - (3) To any person or organization furnishing health care, education, support or maintenance.
- i. **Do Other Act.** Except as otherwise provided in this instrument, to do all acts that might legally be done by an individual in absolute ownership and control of property and which, in the Trustee's judgment, are necessary or desirable for the proper and advantageous management of the Trust Estate.
- j. **Not Necessarily Diversify.** The Trustee shall not be required to sell or dispose of any investment solely because the retention thereof may prevent adequate diversification of investment or may result in a higher concentration of the value of the Trust Estate in such investment that the Trustee would ordinarily permit.
- k. **To Distribute Non-Pro-Rata.** Upon any division or distribution of the Trust Estate, to partition, allot and distribute the Trust Estate in kind at valuations determined by the Trustee and to cause any share to be composed of cash, property or undivided interests in property different in kind from any other share and to sell such property as the Trustee may deem appropriate.
- l. **Retain Non-Income Producing Assets.** To retain any assets or investment even though said assets or investment is not income producing.
- m. **Tax Elections and Deductions.** The Trustee shall have sole discretion to:
- (1) Claim deductions available to Trustor or Trustor's estate on inheritance or estate tax returns or on state or federal income tax returns;
 - (2) Use date-of-death valuations or alternate valuation date values for estate tax purposes; and
 - (3) Make any other election or decision available under federal or state tax laws.

Any such election or decision may be made, regardless of the effect thereof on any beneficiary or on any interest passing under this Trust or otherwise

and without adjustment between income and principal or among beneficiaries.

- n. **Powers Regarding Securities.** Trustee shall have, with respect to securities, all the rights, powers and privileges of an owner, including the right to vote stock, give proxies, pay assessments and other sums deemed by the Trustee to be necessary for the protection of the Trust Estate; to participate in voting trusts, pooling agreements, foreclosures, reorganizations, consolidations, mergers and liquidations and, in connection therewith, to deposit securities with and transfer title to any protective or other committee under such terms as the Trustee may deem advisable; to exercise or sell stock subscription or conversion rights; to open an account with a brokerage firm of the choosing of the Trustee in the Trustee's name, in Trustee's own behalf, for the purpose of purchasing and selling of all kinds of securities and authorizing such brokerage firm to act upon any orders, including margin orders, options, both covered and uncovered, instructions with respect to such accounts and/or the delivery of securities or money therefrom and received from said Trustee; and to retain as an investment any securities or other property received through the exercise of any of the foregoing powers. The Trustee is further authorized to sign, deliver and/or receive any documents necessary to carry out the powers contained within this paragraph.
- o. **Determination of Income and Principal.** Trustee shall have the power and the authority to determine income and principal and how receipts and disbursements, including the fees of the Trustee, shall be credited, charged or apportioned as between income and principal; however, all such determination shall be made in accordance with the law of the State of Oregon and the decision and the accounts of the Trustee in accordance with said provisions shall be binding upon all persons in interest.

Notwithstanding the foregoing, the Trustee shall:

- (1) Allocate to principal all dividends or other payments made by any corporation or mutual investment company which are designated by the company as a distribution of capital gains;
- (2) Where a premium has been paid or a discount received in connection with the purchase of a bond, amortize such premium or discount by making an appropriate charge or credit to income as the case may be; and
- (3) Charge income from time-to-time with a reasonable reserve for:
 - (a) Depreciation of all income-producing depreciable real or personal property and capital improvements and extraordinary repairs on income-producing property;

- (b) Depletion of all depletable natural resources; and
- (c) All intangible property having a limited economic life.

Such allocations and charges need not be made, however, if written consents are obtained from all income beneficiaries and remaindermen, vested or contingent, living and competent to act.

- p. **Right of Trustee to Probate Trust Assets.** Notwithstanding any other provision of this Trust, the Trustee, in Trustee's sole discretion, may direct the executor of the Will of the Trustor to subject to the jurisdiction of the probate court all assets, up to and including all Trust assets, as though no living transfers had been made to the trust.
- q. **Compromise Claims.** The trustee may compromise or otherwise adjust any claims or litigation against or in favor of the trust.
- r. **Adjustment for Tax Consequences.** The Trustee shall have, in the Trustee's absolute discretion, the power to take any action and to make any election to minimize the tax liabilities of this Trust and of its beneficiaries and to allocate benefits among the various beneficiaries and to make adjustments in the rights of any beneficiaries or between the income and principal amounts, to compensate for the consequence of any tax election or any investment or administrative decision that the Trustee believes has had the effect of directly or indirectly preferring one beneficiary or a group of beneficiaries over others.
- s. **Gifts.** To make gifts from this Trust to the Trustor's children, grandchildren and great-grandchildren.
- t. **Resignation.** The Trustee shall have the right to resign at any time, without court approval, by giving written notice to the successor Trustee or, if there is no successor, to the beneficiaries; provided, however, that, if any such beneficiaries are minors, notice shall be given to their legal guardians or to the persons having the care of custody of the minor beneficiaries.
- u. **Discretionary Termination.** Any time that a Trust or Trust share created under this Agreement has, in the judgment of the Trustee, a value so low that the expenses of maintaining the Trust cannot be reasonably justified, the Trustee may, in Trustee's discretion, but is not required to, terminate such Trust or Trust Share. In case of such termination, the Trustee shall distribute forthwith the share so terminated to the primary beneficiaries thereof.

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4. **Mailing Address.**

The mailing address of the Successor Co-Trustees is:

Eileen Gibbons
24737 Prospect Avenue
Los Altos Hills, CA 94022

Keith D. Goode
7250 Sweet-Ola Highway
Sweet, ID 83617

5. **Revocability.**

Pursuant to its terms, the trust is revocable by the Trustor, subject to her competency. No other person has the power to revoke the trust. As the Trustor has been deemed incompetent, the Trust is irrevocable unless and until she regains competency.

6. **Modification or Amendment.**

The trust may be modified or amended by the Trustor, subject to her competency. No other person has the power to modify the trust. As the Trustor has been deemed incompetent, the Trust cannot be modified unless and until she regains competency.

7. **Trust Taxpayer Identification Number.**

The Trustor's Social Security Number is: **572-40-9549**

9. **Title to Trust Assets.**

Title to the Trust assets should be taken in the name of **EILEEN GIBBONS and KEITH D. GOODE, SUCCESSOR CO-TRUSTEES of THE JUANITA S. GOODE TRUST, U.A.D. NOVEMBER 8, 1999, and any and all amendments thereto.**

10. **Statement of Current Status.**

As of this date, the trust has not been revoked, modified or amended in any manner that would cause the representations contained in the Certification to be incorrect.

THE ABOVE IS CERTIFIED TO BE TRUE AND ACCURATE this 8 day of November, 2012.


Eileen Gibbons, Successor Co-Trustee

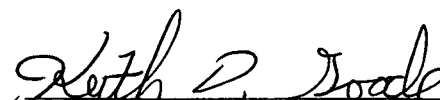

Keith D. Goode, Successor Co-Trustee

EXHIBIT B
PAGE: 6 OF 7

STATE OF OREGON; County of Klamath) ss.

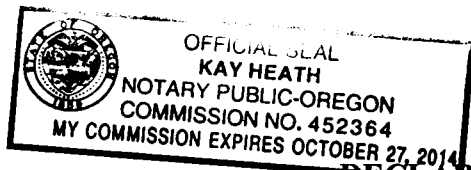
8th THE FOREGOING CERTIFICATION OF TRUST was acknowledged before me this day of November, 2012, by Eileen Gibbons.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-14

STATE OF OREGON; County of Klamath) ss.

8th THE FOREGOING CERTIFICATE OF TRUST was acknowledged before me this day of November, 2012, by Keith D. Goode.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-14

DECLARATION OF COUNSEL

I, NATHAN J. RATLIFF, under penalty of perjury, hereby declare that:

1. I am an attorney at law, practicing with the firm of Parks & Ratliff, P.C., of 620 Main Street, Klamath Falls, Oregon 97603.
2. I have examined the Juanita S. Goode Trust agreement, dated November 8, 1999 (the "Trust Agreement"), and its amendments.
3. I prepared the within Certification of Trust at the behest of the Eileen Gibbons and Keith D. Goode, Successor Co-Trustees, after determining that it was appropriate to do so under the terms and conditions of the Trust Agreement, and in accordance with Oregon law.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

DATED: November 8, 2012.

Nathan J. Ratliff
Nathan J. Ratliff, OSB #03426

EXHIBIT B

PAGE: 7 OF 7

FOURTH AMENDMENT

TO

THE JUANITA FAIRCLO REVOCABLE LIVING TRUST AGREEMENT

I, JUANITA S. GOODE, of Klamath Falls, Oregon, declare that this is the Fourth Amendment to The Juanita Fairclo Trust executed November 8, 1999, amended by the First Amendment to The Juanita Fairclo Trust dated August 8, 2001, amended by the Second Amendment to The Juanita Fairclo Trust dated August, 24, 2004, and amended by the Third Amendment to The Juanita Fairclo Trust dated April 27, 2007.

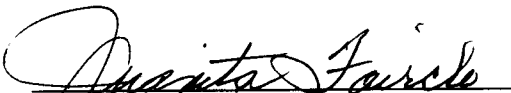
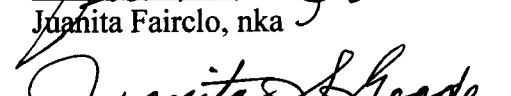
1. I hereby declare that the name of The Juanita Fairclo Trust is hereby changed to **THE JUANITA S. GOODE TRUST**.

2. I further declare that the name of the trustee of The Juanita Fairclo Trust, now known as The Juanita S. Goode Trust, is changed from Juanita Fairclo to Juanita S. Goode.

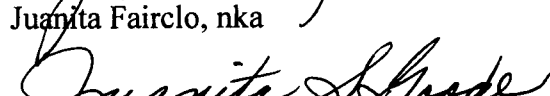
2. As amended by this instrument, The Juanita Fairclo Trust agreement (now known as the Juanita S. Goode Trust agreement) executed on November 8, 1999, first amended on October 8, 2001, secondly amended on August 24, 2004, and thirdly amended on April 27, 2007, is ratified, confirmed, and republished.

This Fourth Amendment is executed this 21 day of April, 2009.

TRUSTOR:


Juanita Fairclo, nka

Juanita S. Goode

TRUSTEE:


Juanita Fairclo, nka

Juanita S. Goode

STATE OF OREGON; County of Klamath) ss.

PERSONALLY APPEARED BEFORE ME the above-named Juanita Fairclo, aka Juanita S. Goode, and acknowledged the foregoing instrument to be her voluntary act and deed on this 21 day of April, 2007.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-27-10

FOURTH AMENDMENT TO THE
JUANITA FAIRCLO TRUST NKA
THE JUANITA S. GOODE TRUST

EXHIBIT C

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