

2022-013868
Klamath County, Oregon

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



12/01/2022 01:17:30 PM

Fee: \$112.00

GRANTOR'S NAME AND ADDRESS:
Elena G. Cooper, Successor Trustee of the
Sydney Kerns Giacomini 1994 Trust,
u/t/d/ 8/8/1994
13221 Crystal Springs Road
Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS:
Elena G. Cooper
13221 Crystal Springs Road
Klamath Falls, OR 97603

SEND TAX STATEMENTS TO:
Elena G. Cooper
13221 Crystal Springs Road
Klamath Falls, OR 97603

BARGAIN AND SALE DEED

ELENA G. COOPER, SUCCESSOR TRUSTEE OF THE SYDNEY KERNS GIACOMINI 1994 TRUST, u/t/d/ 8/8/1994, hereinafter referred to as grantor, conveys to **ELENA G. COOPER**, hereinafter referred to as grantee, the following described real property situated in the County of Klamath, State of Oregon, to-wit:

All that portion of the N½SE¼SE¼ of Section 22, Township 39 South, Range 10 E.W.M., lying Southeasterly of the Crystal Springs Road.

Property ID No.: 600790
Map Tax Lot No.: 3910-02200-01500

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.

IN WITNESS WHEREOF, the grantor has executed this instrument this 29 day of November, 2022.

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 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,

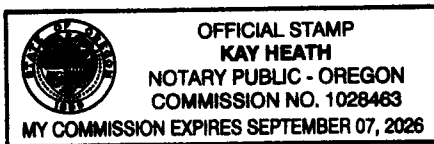
CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855,
OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

SYDNEY KERNS GIACOMINI 1994 TRUST,
u/t/d/ 8/8/1994

By Elena G. Cooper
Elena G. Cooper, Successor Trustee

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 29 day of
November, 2022, by Elena G. Cooper as Successor Trustee of the Sydney Kerns Giacomini
1994 Trust, u/t/d 8/8/1994.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-7-2026

CERTIFICATION OF TRUST

CERTIFICATE OF TRUST (ORS 130.860)

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

The trust was executed on August 18, 1994, and is currently in existence.

2. **Trustor/Trustee.**

a. The Trustor is: SYDNEY KERNS GIACOMINI

b. The currently acting Trustee is: ELENA G. COOPER

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:

(a) **MANAGE AND DISPOSE OF ASSETS.** 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 my trustee considers beneficial to the trust estate.

(b) **RETAIN ASSETS.** Retain any property and continue to operate any business for so long as my trustee considers retention of probable benefit to the trust estate and the trust beneficiaries.

(c) **MAKE INVESTMENTS.** 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 my 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.** Receive reasonable compensation for my trustee's own services and reimbursement for expenses incurred in administering the trust estate.

(e) **ADVANCE FUNDS OR BORROW.** Advance my trustee's own funds to the trust for any trust purpose at prevailing rates of interest (with any advance to be a lien on the trust estate) and borrow money for those purposes and upon those terms and conditions which my trustee considers to be in the best interest of the trust estate.

(f) PURCHASE ASSETS AND MAKE LOANS. Purchase assets at their fair market value (as determined by my trustee) from my probate estate, and make secured or unsecured loans to my probate estate, for any reason my trustee believes will benefit my probate estate.

(g) COMBINE MANAGEMENT OF SEPARATE TRUSTS. Hold the trust estate as an undivided whole without separation into any separate trusts for as long as my trustee considers suitable and allot undivided interests in any asset to any separate trusts, but no undivided holding shall defer vesting or distribution under the trusts.

(h) CHOOSE MANNER OF MAKING DISTRIBUTIONS. Make any distribution in any of the following ways to a beneficiary who is a minor, incapacitated, under legal disability, or considered by my trustee to be unable to handle property if paid to the beneficiary directly, without liability to my trustee:

(1) Direct to the beneficiary.

(2) To the extent permitted by Oregon law, to a custodian for that person under the Oregon Uniform Transfers to Minors Act until the person attains the age of 25 years.

(3) To the beneficiary's guardian, conservator, or any other fiduciary for the beneficiary.

(4) To any person or organization furnishing health care, education, support, or maintenance.

(5) To the trustee of a receptacle trust for the lifetime of a beneficiary with a disabling condition and receiving, or likely to receive, public benefits, so long as such trust is a supplemental needs trust, to protect the eligibility of the beneficiary for needs-based public benefits. The remainder beneficiaries of the receptacle trust must be the remainder beneficiaries set out in this instrument for that beneficiary's distribution, had the beneficiary died. I anticipate that the receptacle third party special needs trust will be created at that time by an interested person, and funded with the distribution.

(i) DEAL WITH ENVIRONMENTAL MATTERS. Inspect and monitor property to determine compliance with environmental laws, take action to prevent or remedy violations, settle environmental claims, decline to accept property which could result in liability under environmental laws or impair the value of the trust estate, and disclaim any power which could cause my trustee to incur personal liability for violation of environmental laws. My trustee shall not be liable to any trust beneficiary for any decrease in the value of the trust estate as a result of these actions.

(j) UNPRODUCTIVE PROPERTY. My partner, if an income beneficiary of a trust under this instrument, may require that the Trustee not retain in the trust beyond a reasonable time any property that may be or become unproductive and may require that the Trustee not invest the property of such trust fund in unproductive property.

(k) DO OTHER ACTS. Except as otherwise provided in this instrument, do all acts that might legally be done by an individual in absolute ownership and control of property and which in my trustee's judgment are necessary or desirable for the proper and advantageous management of the trust estate.

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4. **Mailing Address.**

The mailing address of the Trustee is:
13221 Crystal Springs Road
Klamath Falls, OR 97603

5. **Revocability.**

The trust is irrevocable by the Trustor.

6. **Modification or Amendment.**

The trust may not be modified or amended.

7. **Trust Taxpayer Identification Number.**

The Trustor's Social Security Number is: **XX-XXX9818.**

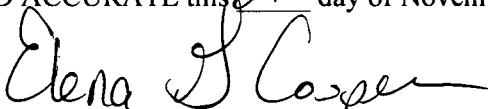
8. **Title to Trust Assets.**

Title to the Trust assets should be taken in the name of: **ELENA G. COOPER,
SUCCESSOR TRUSEE OF THE SYDNEY KERNS GIACOMINI 1994 TRUST, utd
8/8/1994**

9. **Statement of Current Status.**

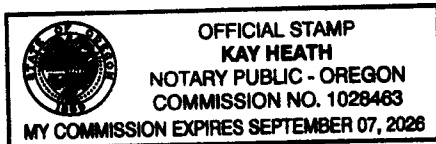
As of this date, the trust has not been revoked, modified or amended in any manner that would cause the representations contained in the Certification to be incorrect.


THE ABOVE IS CERTIFIED TO BE TRUE AND ACCURATE this 29 day of November, 2022.


Elena G. Cooper

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me this 29 day of November, 2022, by Elena G. Cooper.




NOTARY PUBLIC FOR OREGON
My Commission expires: 9-7-2026

(Declaration of Counsel appears on Page 5)

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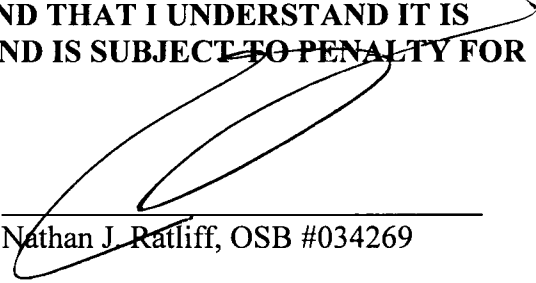
DECLARATION OF COUNSEL

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 97601.
2. I have examined the Sydney Kerns Giacomini 1994 Trust, utd 8/8/1994 (the "Trust Agreement").
3. I prepared the within Certification of Trust at the behest of the Elena G. Cooper, Successor Trustee, 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 29, 2022.



Nathan J. Ratliff, OSB #034269

STATE OF OREGON

CERTIFICATION OF VITAL RECORD

932494

I.D. TAG NO.

OREGON HEALTH AUTHORITY CENTER FOR HEALTH STATISTICS CERTIFICATE OF DEATH

136-2021-020707

STATE FILE NUMBER

Legal Name		First	Middle	Last	Suffix	Death Date	
Sydney		L.		Giacomini		July 10, 2021	
Sex	Age		Social Security Number		County of Death		
Female	87 years		564-54-7838		Klamath		
Birthdate		Birthplace		Was Decedent Ever in U.S. Armed Forces?			
July 17, 1933		Klamath Falls, Oregon		No			
Residence:				City/Town			
13221 Crystal Springs Road				Klamath Falls			
Residence County		State or Foreign Country		Zip Code + 4		Inside City Limits?	
Klamath		Oregon		97603		No	
Marital Status at Time of Death		Spouse's Name Prior to First Marriage					
Widowed		John Anthony Giacomini					
Father's Name				Mother's Name Prior to First Marriage			
Earl Kerns				Elaine Hunt			
Informant's Name		Telephone Number		Relationship to Decedent		Mailing Address	
Elena Cooper		Not Available		Daughter		13221 Crystal Springs Road, Klamath Falls, OR 97603	
Place of Death			Facility Name				
Licensed Assisted Living Facility			Rogue River Place				
Location of Death			City/Town or Location of Death		State		Zip Code + 4
2437 Kane Street #121			Klamath Falls		Oregon		97603
Method of Disposition		Place of Disposition			Location (City/Town and State)		
Cremation		Pyramid Cremations			Klamath Falls, Oregon		
Name and Complete Address of Funeral Facility							
O'Hair - Wards Funeral Chapel 515 Pine Street, Klamath Falls, Oregon 97601							
Date of Disposition		Funeral Director's Signature			Electronically Signed		OR License Number
TBD		M Jason Ward					CO-3678
Registrar's Signature				Date Received		Local File Number	
Jennifer A. Woodward				July 13, 2021			
Amendment							

TO BE COMPLETED BY FUNERAL FACILITY

45-2CCS (01/06)



I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORDS FACTS ON FILE IN THE OREGON CENTER FOR HEALTH STATISTICS.

DATE ISSUED: July 13, 2021

THIS COPY IS NOT VALID WITHOUT INTAGLIO STATE SEAL AND BORDER.

JENNIFER A. WOODWARD, PR.D.
STATE REGISTRAR

