

AFFIDAVIT--DEATH OF CO-TRUSTEE

**DECLARATION OF SURVIVING CO-TRUSTEE REGARDING ABSTRACT OF TRUST AND TITLE TO TRUST PROPERTY**

**I, THE UNDERSIGNED, DECLARE THAT:**

1. I am the surviving Co-Trustee (also referred to herein as "Successor Trustee") of **THE DEMPSEY LIVING TRUST** dated **NOVEMBER 14, 1990**, of which **ELTON L DEMPSEY** and **ROSE DEMPSEY** were the initial Trustors and Trustees.

2. Attached to this Declaration is an Abstract of the Declaration of Trust (**EXHIBIT "A"**) which sets forth the Successor Trustee provisions in **ARTICLE ONE, Paragraph 1.6** entitled **Successor Trustees**.

3. **ELTON L. DEMPSEY** is the person named in that certain **GRANT, BARGAIN, AND SALE DEED** dated **FEBRUARY 14, 1991**, executed by **ELTON L. DEMPSEY** and **ROSE DEMPSEY**, as Grantors, naming **ELTON L. DEMPSEY** and **ROSE DEMPSEY, CO-TRUSTEES OF THE DEMPSEY LIVING TRUST** dated **NOVEMBER 14, 1990**, as Grantees, and recorded as Document Number **245013, BOOK 291, PAGE 1900** on **FEBRUARY 19, 1991**, describing the real property situated in the County of **SOUGLAS**, State of California, more particularly described as:

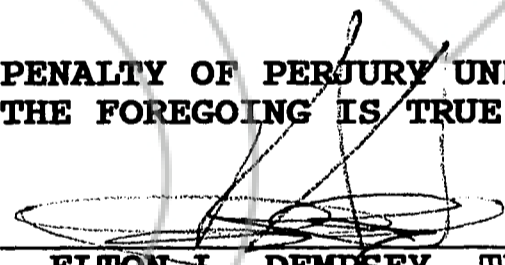
**RIDGE TAHOE TIMESHARE WEEK #37-058-29-82 AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

4. As evidenced by the attached certified copy of Death Certificate, **LILLY ROSE DEMPSEY (A.K.A. ROSE DEMPSEY)** died on **October 9, 1993**.

5. Pursuant to the terms of the **DEMPSEY LIVING TRUST (SEE ABSTRACT ATTACHED TO THIS DECLARATION AS EXHIBIT "B")**, title to the Real Property described above devolved to me as Successor Trustee.

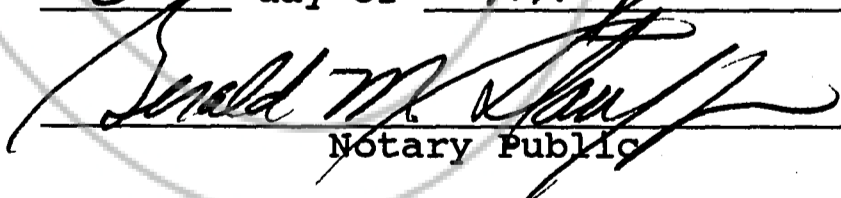
**I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.**

Dated: MAY 31, 1995

  
\_\_\_\_\_  
**ELTON L. DEMPSEY, TRUSTEE**

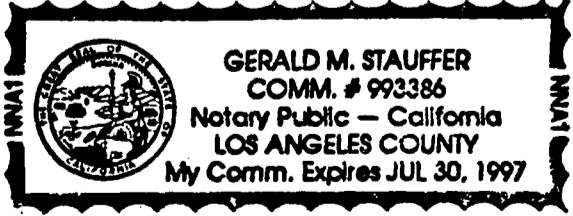
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

SUBSCRIBED AND SWORN TO before me, the undersigned officer, this 31<sup>st</sup> day of MAY, 1995.

  
\_\_\_\_\_  
Notary Public (Seal)

**WHEN RECORDED MAIL TO:**  
**ELTON L. DEMPSEY, TRUSTEE**  
**1161 ITAMO STREET**  
**CAMARILLO, CA 93012**

**MAIL TAX STATEMENTS TO:**  
**R. T. P. O. A.**  
**P.O. BOX 5790**  
**STATELINE, NV 89449**



**364326**

**BK0695PG2789**

## A. TIMESHARE ESTATE COMPRISED OF:

PARCEL ONE

An undivided 1/102nd interest in and to that certain condominium as follows:

- (A) An undivided 1/106th interest as tenants-in-common, in and to Lot 37 as shown on Tahoe Village Unit No. 3-10th Amended Map, Recorded September 21, 1990 as Document No. 235008, Official Records of Douglas County, State of Nevada. Except therefrom Units 039 through 080 (inclusive) and Units 141 through 204 (Inclusive) as shown and defined on that certain Condominium Plan recorded as Document No. 182057, Official Records of Douglas County, State of Nevada.
- (B) Unit No. 058 as shown and defined on said last Condominium Plan.

PARCEL TWO

- (A) a non-exclusive easement for roadway and public utility purposes as granted to Harich Tahoe developments in deed recorded December 8, 1981, as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. 01112, recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East M.D.B. & M.; and
- (B) An easement for ingress, egress and public utility purposes, 32' wide, the centerline of which is shown and described on the Seventh Amended Map of Tahoe Village No. 3, recorded April 9, 1986, as Document No. 133178 of Official Records, Douglas County, State of Nevada.

PARCEL THREE

A non-exclusive right to use the real property known as "Common Area" as shown on Tahoe Village Unit No. 3-10th Amended Map, Recorded September 21, 1990 as Document No. 235008 of the Douglas County Recorder's Office, Douglas County, Nevada, within Section 30, Township 13 North, range 19 East, M.D.B. & M. for all those purposes provided for in the Declaration of Covenants, Conditions, and Restrictions recorded January 11, 1973, as Document No. 63681, in book 173 Page 229 of Official Records and in modifications thereof: (1) recorded September 28, 1973, as Document No. 69063 in Book 973 Page 812 of Official Records; (2) recorded July 2, 1976, as Document No. 1472 in Book 776 Page 87 of Official Records; and (3) recorded July 26, 1989, as Document No. 207446, in Book 789, Page 3011.

PARCEL FOUR

A non-exclusive easement for ingress and egress and recreational purposes and for the use and enjoyment and incidental purposes over, on and through Lots 29, 30, 35, 39, 40, and 41 as shown on Tahoe Village Unit No. 3 - 10th Amended Map, Recorded September 21, 1990 as Document No. 235008 of the Douglas County Recorder's Office, Douglas County, Nevada, within Section 30, Township 13 North, Range 19 East M.D.B. & M. for all those purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded February 14, 1984, as Document No. 96758 and as amended from time to time of Official Records of Douglas County, State of Nevada.

PARCEL FIVE

The Exclusive right to use any UNIT of the same Unit Type as described in the Amended Declaration of Annexation of The Ridge Tahoe Phase Five recorded on August 18, 1988, as Document No. 184461 of Official Records of Douglas County, in which an interest is hereby conveyed in subparagraph (B) of Parcel One, and the non-exclusive right to use the real property referred to in subparagraph (A) of Parcel One and Parcels Two, Three and Four above for all of the purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Ridge Tahoe, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, during ONE ALTERNATE use week within the even numbered years of the prime SEASON, as said quoted term is defined in the Declaration of Annexation of the Ridge Tahoe Phase Five.

The above described exclusive right may be applied to any available unit of the same Unit Type on Lot 37 during said use week within said "use season".

A Portion of APN 42-283-04

364326

BK0695PG2790



## CERTIFICATION OF VITAL RECORD

## County of Ventura

800 SOUTH VICTORIA AVENUE  
VENTURA, CALIFORNIA 93009

## CERTIFICATE OF DEATH

39356002874

STATE FILE NUMBER		STATE OF CALIFORNIA		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	
1A. NAME OF DECEDENT—FIRST (GIVEN) Lilly		1B. MIDDLE Rose		1C. LAST (FAMILY) Dempsey	
4. RACE White		5. HISPANIC—SPECIFY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		6. DATE OF BIRTH—MO. DAY, YR. December 19, 1928	
8. STATE OF BIRTH OH		9. CITIZEN OF WHAT COUNTRY USA		10A. FULL NAME OF FATHER Clyde Bryon Seesholtz	
12. MILITARY SERVICE? 19__ TO 19__ <input checked="" type="checkbox"/> NONE		13. SOCIAL SECURITY NO. [REDACTED] 0601		14. MARITAL STATUS Married	
16A. USUAL OCCUPATION Accountant		16B. USUAL KIND OF BUSINESS OR INDUSTRY Accounting		16C. USUAL EMPLOYER Self	
18A. RESIDENCE—STREET AND NUMBER OR LOCATION 1161 Itamo Street		18B. CITY Camarillo		18C. ZIP CODE 93012	
19A. PLACE OF DEATH Residence		19B. IF HOSPITAL, SPECIFY ONE: IP, ER/OP, DOA		19C. COUNTY Ventura	
21. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C) IMMEDIATE CAUSE (A) Metastatic Breast Cancer		22. WAS DEATH REPORTED TO CORONER? REFERRAL NUMBER <input checked="" type="checkbox"/> YES 1738-93 <input checked="" type="checkbox"/> NO		23. WAS BIOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
DUE TO (B)		24A. WAS AUTOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		24B. WAS IT USED IN DETERMINING CAUSE OF DEATH? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
DUE TO (C)		25. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 21 None		26. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 21 OR 25? IF YES, LIST TYPE OF OPERATION AND DATE. 1985 Mastectomy Left	
1. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.		27B. SIGNATURE AND DEGREE OR TITLE OF CERTIFIER <i>[Signature]</i> MD		27C. CERTIFIER'S LICENSE NUMBER 643738	
27A. DECEDENT ATTENDED SINCE: MONTH, DAY, YEAR 6-7-1993		DECEDENT LAST SEEN ALIVE: MONTH, DAY, YEAR 9-27-1993		27D. DATE SIGNED 10-11-93	
27E. TYPE ATTENDING PHYSICIAN'S NAME AND ADDRESS Keith Eileman, M.D. 5800 Santa Rosa Rd, Suite 105 Camarillo, CA93010		28A. SIGNATURE AND TITLE OF CORONER OR DEPUTY CORONER <i>[Signature]</i>		28B. DATE SIGNED	
29. MANNER OF DEATH—specify one: natural, accident, suicide, homicide, pending investigation or could not be determined		30A. PLACE OF INJURY		30B. INJURY AT WORK <input type="checkbox"/> YES <input type="checkbox"/> NO	
30C. DATE OF INJURY MONTH, DAY, YEAR		30D. HOUR		32. LOCATION (STREET AND NUMBER OR LOCATION AND CITY)	
33. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY)		34A. DISPOSITION(S) BU		34B. PLACE OF FINAL DISPOSITION—NAME AND ADDRESS Conejo Mountain Memorial Park 2052 Howard Rd. Camarillo, CA 93012	
34C. DATE MO. DAY, YEAR 10/12/1993		34D. SIGNATURE OF EMBALMER <i>[Signature]</i>		34E. LICENSE NUMBER 6399	
35A. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH) PIERCE BROTHERS GRIFFIN - CAMARILLO		35B. LICENSE NO. F-892		35C. SIGNATURE OF LOCAL REGISTRAR <i>[Signature]</i>	
35D. REGISTRATION DATE 10/12/1993		35E. SIGNATURE OF REGISTRAR <i>[Signature]</i>		35F. CENSUS TRACT	
A.		B.		C.	
D.		E.		F.	

VS-11 (REV 3-91)

MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS

094024

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA } SS.  
COUNTY OF VENTURA

DATE ISSUED

JAN 09 1995

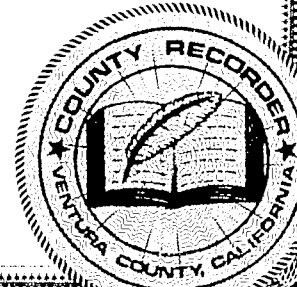
This is a true and exact reproduction of the document officially registered and placed on file with the VENTURA COUNTY RECORDER.

*Richard D. Dean*  
RICHARD D. DEAN  
COUNTY RECORDER

364326

This copy not valid unless prepared on engraved border displaying seal and signature of County Recorder.

BK0695PG2791



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT "B"

ABSTRACT OF DEMPSEY LIVING TRUST, U/T/D 11/14/90

REVOCABLE TRUST DECLARATION

ARTICLE ONE

INTRODUCTION, PARTIES, TRUSTEES

1.1. Declaration. We, ELTON L. DEMPSEY of Ventura County, California, and ROSE DEMPSEY, also known as LILLY ROSE DEMPSEY, of Ventura County, California, are the creators of this trust declaration. We are referred to as the "trustors" in this document.

1.2. Beneficiaries. We, ELTON L. DEMPSEY and ROSE DEMPSEY, are the present beneficiaries of this trust.

1.3. Identification of Trust. This trust may be referred to as the DEMPSEY LIVING TRUST.

1.4. Trust Revocable. We reserve the right to both amend or revoke the trust during our joint lives. We have set forth the provisions for revocation and amendment of the trust in Article Four.

1.5. Initial Trustees. We, ELTON L. DEMPSEY and ROSE DEMPSEY, appoint ourselves as the initial co-trustees of this trust.

1.6. Successor Trustees. Should either of us resign, become incapacitated, die, or otherwise fail or cease to act as a co-trustee before the natural termination of the trust, the

remaining spouse shall thereafter serve as sole trustee. If that remaining spouse should resign or cease to act, SHERILYN KARLIN and KAREN CROW shall become the successor co-trustees. If either co-trustee fails to act or ceases to serve, the other may serve alone. Should both co-trustees fail to cease or act, then the BANK OF A. LEVY, 2575 Vista del Mar, Ventura, Ca. 93002, (805) 652-3530, shall become the trustee of this trust.

1.7. Final Successor. If at any time there is no trustee acting, and there is no person or institution designated as provided in this article who qualifies as a successor trustee, the majority of the adult beneficiaries of the trust who are then entitled to receive present income, acting together, shall appoint the successor trustee. If they fail to act or agree, then the law firm of Adler, Rogoff & Stauffer, A Professional Corporation, 215 Long Beach Blvd., Suite 706, Long Beach, Ca. 90802, shall appoint the successor trustee.

1.8. Trustors' Right to Remove Trustees. While we are both living, we may remove any individual or corporate trustee, at any time, with or without cause, and we may appoint another trustee. That trustee may be an individual or corporate trustee (such as a bank or trust company). After the death of the first spouse, if there is an individual trustee who is serving as the successor trustee of an irrevocable trust (established to hold assets of the first of us to die) that trustee may not be removed by the survivor of us without good cause. However, the surviving spouse may remove a corporate trustee with or without cause, and shall appoint another corporate trustee.



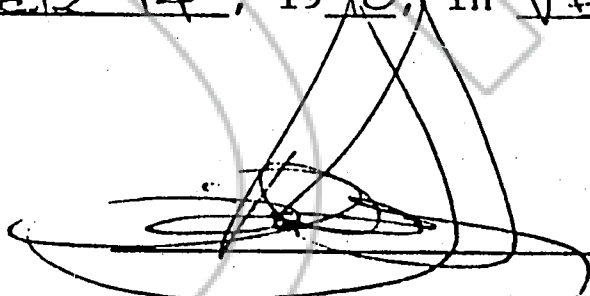
ARTICLE TEN

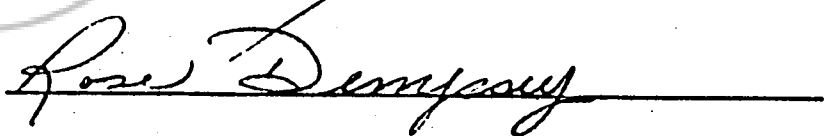
CONCLUDING PROVISIONS

10.1. Duplicate Original of Trust. We have prepared this trust in DUPLICATE. Each copy of the trust is an ORIGINAL TRUST. One trust has been bound in a blue manuscript cover and is called "the blue-backed original." The duplicate original is loose-leaf and contained in a three-ring binder for our convenience. Either duplicate trust may be admitted to court, or used for any other trust purpose without the production of the other. The production of one trust without the other shall be prima facia evidence that the trust is in full force and effect, unless we have specifically revoked the trust in a written instrument which expressly indicates our intent to revoke the trust. In the event the loose-leaf original trust is damaged, worn, has any page(s) missing or is questioned, then the blue-backed duplicate original shall prevail in any dispute as to the content of the trust provisions.

10.2. Execution. We, certify that We have read the foregoing trust declaration and that it correctly states the terms and conditions under which the trust estate is to be held, managed, and disposed of by the trustees. We approve of the trust declaration in all particulars, and as the trustees named in the trust declaration, accept the trusts provided for in the declaration.

Executed on NOVEMBER 14, 1990, in VENTURA  
County, California.

  
ELTON L. DEMPSEY

  
ROSE DEMPSEY

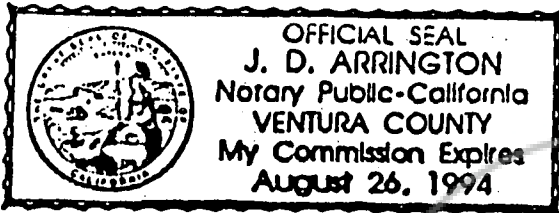
ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
COUNTY OF Ventura )

SS.

On this 14<sup>th</sup> day of November, in the year 1990, before me, the undersigned officer, personally appeared ELTON L. DEMPSEY and ROSE DEMPSEY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to this instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.



(Seal)

J. D. Arrington  
Notary Public

REQUESTED BY  
Elton L Dempsey  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'95 JUN 19 AM 128

Living Trust Article Ten, Page 2

364326

BK0695PG2795

LINDA SLATER  
RECORDER  
\$13 PAID K2 DEPUTY