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**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO**

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Attorney at Law
1944 Tice Valley Boulevard
Walnut Creek, California 94595
Telephone No. (925) 938-2500

MAIL TAX STATEMENTS TO

DAVID A. SMITH, Trustee
THE DAVID A. & JANICE L. SMITH TRUST
u/D/T dated 03/08/01
280 Silver Eagle Drive
Vacaville, California 95688

Assessor's Reference No.: Portion of 40-370-04

DOCUMENTARY TRANSFER TAX NOT APPLICABLE -- Gratuitous transfer **NOT PURSUANT TO A SALE** with **NO CONSIDERATION GIVEN** as Transfer to self-settled revocable living trust

TRUST TRANSFER DEED

(GRANT DEED)

R.P.T.T. \$ #8

=====

DAVID A. SMITH, a married man dealing with his sole and separate property, as the Grantor, declares under penalty of perjury under the laws of the State of Nevada that this deed is a gratuitous transfer of real property to the Grantees (being the Co-Trustees of a revocable *intervivos* trust for the collective and respective lifetime benefit of the Grantor and Grantor's spouse herein), that this deed and transfer of real property is **NOT PURSUANT TO A SALE**, that there is **NO MONETARY CONSIDERATION GIVEN** for this deed or transfer of real property, that no purchaser or other person has directed this transfer of real property, that no transfer of realty has occurred, and that the Documentary Transfer Tax is zero and inapplicable.


DAVID A. SMITH

RECITALS

DAVID A. SMITH, a married man dealing with his sole and separate property, is the record owner of that certain timeshare interest in real property situated in the County of Douglas, State of Nevada, commonly known as The Ridge Crest, No. 104, and more particularly hereafter described ("the Timeshare Real Property").

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MAIL TAX STATEMENTS AS DIRECTED ABOVE

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As an incident to their personal estate planning, DAVID A. SMITH and his spouse JANICE L. SMITH have created and executed a revocable *intervivos* trust [THE DAVID A. & JANICE L. SMITH TRUST under Declaration of Trust dated March 8, 2001] for their collective and respective lifetime benefit.

Each of DAVID A. SMITH and JANICE L. SMITH understand that property titled in the name(s) of the Trustee(s) of a revocable living trust is subject to the terms of that revocable living trust and is neither subject to disposition by Will nor subject to probate administration.

Accordingly, DAVID A. SMITH and JANICE L. SMITH have "funded" and intend to "fund" this revocable *intervivos* trust by lifetime transfers of title to property to the Trustee(s) thereof.

Thus, as a further incident to the personal estate planning of DAVID A. SMITH and JANICE L. SMITH, DAVID A. SMITH desires to transfer and convey his right, title, and interest in the Timeshare Real Property to the Trustee(s) of this revocable *intervivos* trust [THE DAVID A. & JANICE L. SMITH TRUST under Declaration of Trust dated March 8, 2001].

Furthermore, DAVID A. SMITH desires to maintain and preserve his sole and separate property interest in the Timeshare Real Property as separate property within the Trust Estate of THE DAVID A. & JANICE L. SMITH TRUST, and DAVID A. SMITH declares that there is no transmutation of the beneficial ownership in the Timeshare Real Property to community property but that the beneficial ownership of the Timeshare Real Property shall retain its character as sole and separate property of DAVID A. SMITH within the Trust Estate of THE DAVID A. & JANICE L. SMITH TRUST.

Paragraph FIFTH F of THE DAVID A. & JANICE L. SMITH TRUST under Declaration of Trust dated March 8, 2001, provides as follows:

"F. Power to Hold Title to Separate Property in the Name of One Trustee Only. Where title to an asset comprising the separate property of one Settlor only was held in the name of that one Settlor only prior to the execution of this Trust and the transfer of such asset into this Trust, (at the option of the Settlor) that Settlor only may be the sole Trustee with regard to that separate property upon and following its transfer to the Trust Estate. Any such separate property of the Trust Estate may be titled in the name of one Settlor-Trustee only and shall not be subject to the power or control of the other Settlor-Trustee while the (separate property owner) Settlor-Trustee is serving as Trustee. At such time as the (separate property owner) Settlor-Trustee ceases to serve as Trustee, the successor Trustee(s) named or otherwise appointed herein shall have all the powers of a Trustee with respect to such property. If the (separate property owner) Settlor does not exercise the option provided in this Paragraph FIFTH F, Part III, but instead elects to transfer title to his/her separate property to both Settlers as Trustees of this Trust, the transfer shall not be construed as a transmutation or as evidence of any intention to transmute separate property into community property."

CONVEYANCE

NOW THEREFORE, in contemplation and implementation of the foregoing,

GRANTOR: DAVID A. SMITH,
a married man dealing with his sole and separate property,

hereby grants and conveys to

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GRANTEE: DAVID A. SMITH, Trustee
THE DAVID A. & JANICE L. SMITH TRUST (SPH)
under Declaration of Trust dated March 8, 2001,

PROPERTY all of his right, title, and interest in the Timeshare Real Property situated in the County of
of
CONVEYED: Douglas, State of Nevada, commonly known as The Ridge Crest, No. 104, and more particularly described on EXHIBIT "A" attached hereto and incorporated by this reference (Portion of 40-370-04).

**NO TRANSMUTATION/
CONTINUED SEPARATE
PROPERTY CHARACTER:**

By execution of this deed and of the conveyance herein, it is the intention and stipulation of DAVID A. SMITH to maintain and preserve his sole and separate property interest in the Timeshare Real Property as separate property within the Trust Estate of THE DAVID A. & JANICE L. SMITH TRUST; that there be no transmutation of the beneficial ownership in the Timeshare Real Property to community property but that the beneficial ownership of the Timeshare Real Property shall retain its character as sole and separate property of DAVID A. SMITH within the Trust Estate of THE DAVID A. & JANICE L. SMITH TRUST; and that DAVID A. SMITH (through the instrumentality of THE DAVID A. & JANICE L. SMITH TRUST) shall retain and have the sole and exclusive power of testamentary disposition as to the entire interest of DAVID A. SMITH in separate property within the Trust Estate of THE DAVID A. & JANICE L. SMITH TRUST, including the interest of DAVID A. SMITH in the Timeshare Real Property, in the manner provided in the Declaration of Trust dated March 8, 2001 governing THE DAVID A. & JANICE L. SMITH TRUST and subject to other terms of the Declaration of Trust from time to time applicable.

Dated: March 8, 2001

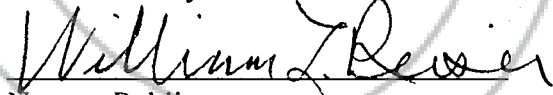

DAVID A. SMITH

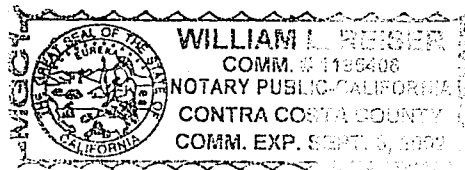
CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF CALIFORNIA)
)
County of Contra Costa)

On March 8, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAVID A. SMITH, personally known to me proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacities and that by his signature on the instrument the person, or the entity on behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


Notary Public



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MAIL TAX STATEMENTS AS DIRECTED ABOVE

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EXHIBIT "A"

Legal Description

The Timeshare Real Property conveyed by this Trust Transfer Deed is situated in the County of Douglas, State of Nevada, commonly known as The Ridge Crest, No. 104, and is more particularly described as follows:

PARCEL 1: An undivided 1/51st interest in and to that certain condominium estate described as follows:

(A) An undivided 1/26th interest as tenants in common, in and to the Common Area of Ridge Crest condominiums as said Common Area is set forth on that condominium map recorded August 4, 1988, in Book 888 of Official Records at Page 711, Douglas County, Nevada, as Document No. 183624.

(B) Unit No. 104, as shown and defined on said condominium map recorded as Document No. 183624, Official Records of Douglas County, State of Nevada.

PARCEL 2: A non-exclusive easement for ingress and egress for use and enjoyment and incidental purposes over, on and through the Common Area as set forth in said condominium map recorded as Document No. 183624, Official Records of Douglas County, State of Nevada.

PARCEL 3: An exclusive right to the use of a condominium unit and the non-exclusive right to use the real property referred to in subparagraph (A) of Parcel 1 and Parcel 2 above, during the "USE WEEK" as that term is defined in the Declaration of Time share Covenants, Conditions and Restrictions for the Ridge Crest recorded April 27, 1989, as Document No. 200951 of Official Records, Douglas County, State of Nevada (the "CC&Rs"). The above described exclusive and non-exclusive rights may be applied to any available unit in The Ridge Crest project during said "USE WEEK" as more fully set forth in the CC&R's.

A Portion of APN 40-370-04

END OF DOCUMENT

REQUESTED BY
William Reiser
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

2001 APR -5 AM 10:41

LINDA SLATER
RECORDER

\$10 PAID *ka* DEPUTY

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