Recording requested by and WHEN RECORDED MAIL TO:

Miki Valente Kokka, Esq. THOITS, LOVE, HERSHBERGER & McLEAN 245 Lytton Avenue, Suite 300 Palo Alto, CA 94301

MAIL TAX STATEMENTS TO:

Elinore L. Kinczel, Trustee 11015 Broadway Terrace Oakland, CA 94611

APN 1418-10-710-013 2045 Pray Meadow Road, Glenbrook, Nevada DOC # 0646045 06/06/2005 08:07 AM Deputy: KLJ OFFICIAL RECORD Requested By:

THOITS LOVE HERSHBERGER &

MCLEAN

17.00

Douglas County - NV Werner Christen - Recorder

Page: 1 Of 4 Fee: BK-0605 PG-1593 RPTT:

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## AFFIDAVIT - DEATH OF TRUSTEE

STATE OF CALIFORNIA ) ) ss COUNTY OF SANTA CLARA )

The undersigned, Elinore L. Kinczel, of legal age, being first duly sworn, deposes and says:

- 1. On May 23, 1985 and William L. Lowe and Margaret S. Lowe, as Settlors, and William L. Lowe and Margaret S. Lowe, as Trustees, executed a trust agreement establishing the William and Margaret Lowe Family Trust dated May 23, 1985 (the "Trust").
- 2. Following the death of William L. Lowe on January 28, 2000, Margaret S. Lowe, as the Surviving Trustee of the Trust, transferred to Margaret S. Lowe, Trustee of the Lowe Non-Exempt Marital Trust under Trust Agreement dated May 23, 1985, all of her right, title and interest in and to the real property commonly known as 2045 Pray Meadow Road, situated in the County of Douglas, State of Nevada, and described as follows:

Lot 22 in Block A, as shown on the map of GLENBROOK UNIT NO. 2, filed in the office of the Recorder of Douglas County, Nevada, on May 26, 1978.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

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SUBJECT, HOWEVER to the rights of persons entitled thereto to use said parcel for such uses as may be provided by said map, and subject further to the Supplemental Declaration of Annexation of the Covenants, Conditions and Restrictions contained in document filed in the office of the Recorder of Douglas County, Nevada, on May 26, 1978, in Book 578 of Official Records, at page 2320, under Document No. 21219; and subject further to the Declaration of Cottage Covenants, Conditions and Restrictions--Glenbrook recorded on May 26, 1978, in Book 578 of Official Records, at page 2291, under Document No. 21218.

- 3. Pursuant to the terms of the Trust, if Margaret S. Lowe ceases to act as Trustee of the Lowe Non-Exempt Marital Trust under Trust Agreement dated May 23, 1985, then Elinore L. Kinczel shall serve as successor Trustee.
- 4. Margaret S. Lowe died on June 26, 2004. A certified copy of her death certificate is attached as Exhibit "A" and made a part hereof.
- 5. The decedent named in the attached certified copy of Certificate of Death is the same person as Margaret S. Lowe named as Trustee of the of the Lowe Non-Exempt Marital Trust under Trust Agreement dated May 23, 1985 and is the same person as one of the parties in that certain Quitclaim Deed dated February 1, 2001, executed by Margaret S. Lowe, Trustee of the Trust, to Margaret S. Lowe, Trustee of the Lowe Non-Exempt Marital Trust under Trust Agreement dated May 23, 1985, recorded as Instrument No. 0510614 in Official Records of Douglas County, Nevada, covering the real property commonly known as 2045 Pray Meadow Road, situated in the County of Douglas, State of Nevada, and described as follows:

Lot 22 in Block A, as shown on the map of GLENBROOK UNIT NO. 2, filed in the office of the Recorder of Douglas County, Nevada, on May 26, 1978.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT, HOWEVER to the rights of persons entitled thereto to use said parcel for such uses as may be provided by said map, and subject further to the Supplemental Declaration of Annexation of the Covenants, Conditions and Restrictions contained in document filed in the office of the Recorder of Douglas County, Nevada, on May 26, 1978, in Book 578 of Official Records, at page 2320, under Document No. 21219; and subject further to the Declaration of Cottage Covenants, Conditions and Restrictions--Glenbrook recorded on May 26, 1978, in Book 578 of Official Records, at page 2291, under Document No. 21218.

6. This Affidavit - Death of Trustee is recorded to establish that the Trustee of the Lowe Non-Exempt Marital Trust under Trust Agreement dated May 23, 1985 is Elinore L. Kinczel by reason of the provisions of the Trust.

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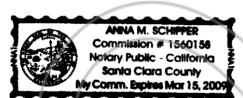
Elinore L. Kinczel declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Elinore L. Kinczel, Trustee

State of California ) ss County of Santa Clara )

Subscribed and sworn to (or affirmed) before me on this 26th day of May, 2005, by Elinore L. Kinczel, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

[seal]



Notary Public

BK- 0605 PG- 1595 06/06/2005

## ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY PUBLIC HEALTH DEPARTMENT

EXHIBIT "A"

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DATE ISSUED: 07/01/2004

HEALTH OFFICER AND LOCAL REGISTRAR ALAMEDA COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying date and signature of Registrar.