

# RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Doris E. Hawks, Esq. Hawks & Comfort, LLP 851 Fremont Ave., Suite 102 Los Altos, CA 94024

# **MAIL TAX STATEMENTS TO:**

Joe Mangiapia, Ttee. 4483 Tilbury Drive San Jose, CA 95130

APN: 1220-15-210-014

DOC # 0756211
12/24/2009 01:05 PM Deputy: SG
OFFICIAL RECORD
Requested By:
HAWKS & COMFORT

Douglas County - NV Karen Ellison - Recorder

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BK-1209

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## AFFIDAVIT DEATH OF TRUSTOR/TRUSTEE

STATE OF CALIFORNIA	)
•	)ss.
COUNTY OF SANTA CLARA	)

JOSEPH MANGIAPIA, of legal age, being first duly sworn, deposes and says:

- 1. WILLIAM D. SCHELER ("WILLIAM") and DAPHNEY E. SCHELER ("DAPHNEY"), as Trustors and Trustees, created the revocable TRUST AGREEMENT ("Trust") under agreement of trust, dated February 25, 1998, ("Trust Agreement") and amended and restated in its entirety on April 15, 1998, and amended again on June 9, 2005 ("Trust Instrument"). The Trust has continued in existence and remains in full force and effect.
- 2. Pursuant to the terms of the Trust Instrument, WILLIAM D. SCHELER and DAPHNEY E. SCHELER were named as the original Co-Trustees and served in this capacity until WILLIAM's death on February 1, 2004. As indicated on the Affidavit Death of Trustee signed on June 9, 2005 and recorded as instrument no. 0647903, in Book 0605 at Page 12017, on June 27, 2005, of Official Records in the office of the County Recorder of Douglas County, State of Nevada and pursuant to the terms of the Trust Instrument, after WILLIAM's death, JOSEPH MANGIAPIA began serving as a Co-Trustee with DAPHNEY E. SCHELER.
- 3. DAPHNEY E. SCHELER died December 26, 2008, in Santa Clara County, California as evidenced by the attached certificate of Death. The DAPHNEY EDITH SCHELER mentioned in the attached Certificate of Death is the same person as DAPHNEY E. SCHELER named in that certain Quitclaim Deed, dated April 15, 1998, and recorded as instrument no. 0437690, in Book 0498 at Page 3637, on April 20, 1998, of Official Records in the office of the County Recorder of Douglas County, State of Nevada, describing the following parcel of real property located at located at 1423 Job's Peak Road, Gardnerville, County of Douglas, State of Nevada:

Lot 159, as said lot is shown on the official plat of Gardnerville Ranchos, unit #2, filed in the office of then (sic) County Recorder of Douglas County, Nevada, on June 1, 1965 in Book 1 of maps, filed as number 28309 and title sheet amended on June 4, 1965 as filing number 28377.

- 4. There is no federal estate tax due as a result of the death of DAPHNEY E. SCHELER.
- 5. Under the terms of the Trust Instrument, if DAPHNEY E. SCHELER ceases to act as a Co-Trustee, JOSEPH MANGIAPIA shall serve as sole Trustee.
- 6. The above-described property is now vested in title as follows:

"JOSEPH MANGIAPIA, Trustee under revocable TRUST AGREEMENT, dated February 25, 1998, between WILLAIM D. SCHELER and DAPHNEY E. SCHELER"

DATED: 12/22/09

Joseph MANGIAPIA,

Trustee

### DECLARATION

I, the undersigned, state the following:

I have read the foregoing Affidavit-Death of Trustor/Trustee and I know the contents thereof, which are true of my own knowledge, except as to any matters therein stated upon my own information or belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration is executed on  $\frac{1}{2} \frac{1}{2} \frac{1}{2}$ 

Joseph Managagoro

SUBSCRIBED AND SWORN TO (OR AFFIRMED) before me this 22 day of \_\_\_\_\_\_, 2009, by JOSEPH MANGIAPIA, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Signature form



PUBLIC HEALTH DEPARTMENT VITAL RECORDS AND REGISTRATION 645 SOUTH BASCOM AVENUE, SAN JOSE, CALIFORNIA 95 128

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CERTIFIED COPY OF VITAL RECORDS



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

