

OFFICIAL RECORD  
Requested By:  
LAW OFFICE OF KAREN L

WINTERS

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 of 3 Fee: 16.00  
BK-0511 PG-0068 RPTT: 0.00



After Recording, Mail to:

Evelyn M. Smythe  
1317 Aylesbury Court  
Gardnerville, NV 89410

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### CERTIFICATION OF TRUST

The undersigned hereby certifies that on January 19, 1999, she and Howard O. Smythe created a revocable Living Trust. This Trust is known as: THE H & E SMYTHE TRUST dated January 19, 1999. Howard O. Smythe and Evelyn M. Smythe were the original Trustees and Trustees.

The undersigned hereto desires to confirm the establishment of a revocable and amendable Living Trust on January 19, 1999, and amendments thereto, for the benefit of the Trustors and containing inter alia the following provisions:

1. Howard O. Smythe and Evelyn M. Smythe were designated as the original Trustees to serve until their death, resignation or incompetence.
2. Upon the removal of one of the original Trustees, the remaining Trustee serves as sole Trustee. Evelyn M. Smythe is the currently acting sole Trustee, pursuant to Order filed on April 19, 2011 in that certain case entitled "In the Matter of the Guardianship of the Person and Estate of Howard Smythe" on file in the Ninth Judicial District Court of the State of Nevada in and for the County of Douglas as Case No. 10-PB-0128, and recorded concurrently herewith.
3. The Trust is Revocable by the Trustors jointly or upon order of a Court of competent jurisdiction;
4. Any Trustee has the power and authority to manage and control, buy, sell and transfer the Trust property, in such manner as the Trustee may deem advisable, and shall have, enjoy and exercise all powers and rights over and concerning said property and the proceeds thereof as fully and amply as though said Trustee were the absolute and unqualified owner of same, including the power to grant, bargain, sell and convey, encumber and hypothecate, real and personal property, and the power to invest in corporate obligations of every kind, stocks, preferred or common, and to buy stocks, bonds and similar investments on margin or other leveraged accounts, except to the extent that such management would cause includability of an irrevocable Trust in the estate of a Trustee.

5. Following the death of both the Trustors, the Trust continues or is distributed in whole or in part for the benefit of other named Beneficiaries according to the terms of the Trust.

6. While a Trustor is living and competent, except when there shall be a Corporate Trustee, the Trustee may add money to or withdraw money from any bank or savings and loan or checking account owned by the Trust without the approval of the Trustor.

7. All personal property transferred into Trust remains personal property and all real property transferred into Trust remains real property.

8. Unless otherwise indicated to a prospective transferee, the Trustee has full power to transfer assets held in the name of the Trust and subsequent transferees are entitled to rely upon such transfers provided the chain of title is not otherwise deficient.

9. The situs of the Trust is the State of Nevada.

10. This Trust contains a spendthrift provision to the extent available under the laws of the State of Nevada.

11. The use of this Certificate of Trust is for convenience only and the Trust is solely controlled as to provisions and interpretations, and any conflict between this certification and the Trust shall be decided in favor of the Trust.

12. The Trust has not been revoked or amended to make any representations contained in this Certification incorrect, and the signature hereunder is of the sole currently acting trustee.

IN WITNESS WHEREOF, the Trustor and Trustee has hereto executed this Certification of Trust this 2<sup>nd</sup> day of May, 2011.

TRUSTOR:

TRUSTEE:

Evelyn M. Smythe  
EVELYN M. SMYTHE

Evelyn M. Smythe  
EVELYN M. SMYTHE

