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Doc Number: **0821002**

04/02/2013 09:15 AM

OFFICIAL RECORDS

Requested By:  
ROSA LAW OFFICE

DOUGLAS COUNTY RECORDERS  
Karen Ellison - Recorder

Page: 1 of 5 Fee: \$ 18.00

Bk: 0413 Pg: 407



Deputy: ar

Assessor's Parcel Number: \_\_\_\_\_

Recording Requested By:

Name: Rosa Law Offices

Address: PO Box 1223

City/State/Zip Lodi, CA 95241-1223

R.P.T.T.: \_\_\_\_\_

Affidavit Incompetency of Co-Trustee  
Acceptance of Office by Sole Trustee

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

*This cover page must be typed or legibly hand printed.*

C:\bc docs\Cover page for recording

**RECORDING REQUESTED BY:**  
*Rosa' Law Office, P.C.*

**AND WHEN RECORDED MAIL TO:**  
/Rosa' Law Offices, P.C.  
P.O. Box 1223  
Lodi, CA 95241-1223

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**AFFIDAVIT INCOMPETENCY OF CO-TRUSTEE  
ACCEPTANCE OF OFFICE BY SOLE TRUSTEE**

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APN: 1319-30-724-003

I, CLAIRES L. LEAR, declare the following under penalty of perjury under the laws of the State of California.

1. That WOODBURN L. LEAR, is the same person as WOODBURN L. LEAR named as the Co-Trustee, of LEAR REVOCABLE TRUST in that certain Trust instrument dated April 30, 1999, executed by WOODBURN L. LEAR and CLAIRES L. LEAR as Co-Trustees, of LEAR REVOCABLE TRUST to which Trust the following described property, located Douglas County, State of Nevada, was transferred by Deed executed on March 23, 2009, and recorded as Document number 0741185 official Records of Douglas County, Nevada, on April 10, 2009, see legal description attached as Exhibit A;

2. Chapter IV of the LEAR REVOCABLE TRUST, dated April 30, 1999, provides for the successor trustee when WOODBURN L. LEAR is unable to act as Co-Trustee. Attached hereto as Exhibit "B" is a Doctor's letter confirming WOODBURN L. LEAR'S inability to act as Co-Trustee.

3. Chapter IV of the LEAR REVOCABLE TRUST, dated April 30, 1999 further states that upon the occurrence of the above event, the sole Trustee of said trust shall be CLAIRES L. LEAR.

4. I, CLAIRES L. LEAR, accept the status and office of sole Trustee of LEAR REVOCABLE TRUST, dated April 30, 1999.

Date: MAR 27 2013

*Claire L. Lear*  
\_\_\_\_\_  
CLAIRES L. LEAR, Trustee of LEAR REVOCABLE  
TRUST, dated April 30, 1999.

**MAIL TAX STATEMENTS TO PARTY SHOWN:** CLAIRES L. LEAR  
13696 HARTLEY LANE  
LODI, CA 95242

# CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 5 \_\_\_\_\_  
 6 \_\_\_\_\_

Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (if any) \_\_\_\_\_

State of California  
 County of San Joaquin

Subscribed and sworn to (or affirmed) before me on this  
 \_\_\_\_\_ day of MAR 27 2013, 20\_\_\_\_, by

Date \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_  
 (1) CLAIRE L LEAR  
 Name of Signer \_\_\_\_\_

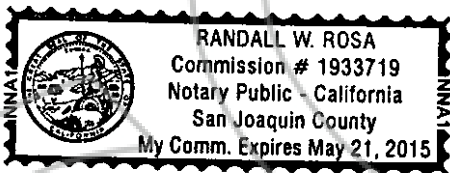
proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) \_\_\_\_\_  
 Name of Signer \_\_\_\_\_

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Randall W Rosa  
 Signature of Notary Public \_\_\_\_\_



Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Further Description of Any Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER #1  
 Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2  
 Top of thumb here

**EXHIBIT "A"**

**(34)**

An undivided 1/102nd interest as tenants in common in and to that certain real property and improvements as follows: (A) An undivided 1/38<sup>th</sup> interest in and to Lot 34 as shown on Tahoe Village Unit No. 3 - 13<sup>th</sup> Amended Map, recorded December 31, 1991, as Document No. 268097, re-recorded as Document No. 269053, Official Records of Douglas County, State of Nevada, excepting therefrom Units 001 through 038 (inclusive) as shown on that certain Condominium Plan recorded June 22, 1987, as Document No. 156903; and (B) Unit No. 003 as shown and defined on said Condominium Plan; together with those easements appurtenant thereto and such easements described in the Fourth Amended and Restated Declaration of Time Share Covenants, Conditions and Restrictions for The Ridge Tahoe recorded February 14, 1984, as Document No. 096758, as amended, and in the Declaration of Annexation of The Ridge Tahoe recorded August 21, 1984, as Document No. 097150, as amended, by Documents recorded October 15, 1990, June 22, 1987 and November 10, 1987 as Document Nos. 236691, 156904 and 166130, and as described in the Recitation of Easements Affecting the Ridge Tahoe recorded February 24, 1992, as Document No. 271619, and subject to said Declarations; with the exclusive right to use said interest in the same unit type, in Lot 34 only, for one week every other year in Odd -numbered years in the Swing "Season" as defined in and in accordance with said Declarations.

A Portion of APN: 1319-30-724-003

**Michael W. Smith, M.D.**  
**Anita Garloff, PMHNP-BC**  
2291 W. March Lane, D-200  
Stockton, CA 95207  
Phone(209)478-1536  
Fax# (209)951-4355

License# G66609/NPF21386

American Board of Psychiatry & Neurology

December 11, 2012

RE: LEAR, WOODBURN

To Whom It May Concern:

Mr. Lear was evaluated by myself on December 3, 2012 and was diagnosed with Dementia, Alzheimer's type. I do not believe that he is competent to handle financial and legal matters.

If you have any further questions or concerns, please don't hesitate to contact me.

Sincerely,



Michael W. Smith, M.D.

MWSss

Exhibit "B"