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DOUGLAS COUNTY, NV

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WOODBURN & WEDGE

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KAREN ELLISON, RECORDER

WHEN RECORDED MAIL TO:

Don L. Ross, Esq.
Woodburn and Wedge
P.O. Box 2311
Reno, Nevada 89505

## NOTICE CONFIRMING APPOINTMENT OF SUCCESSOR TRUSTEE

WHEREAS, D. GERALD BING, JR. created a Trust pursuant to that certain trust agreement dated December 22, 2004 (the "Trust Agreement"), known as the BING RESIDENCE TRUST (the "Trust") of which D. GERALD BING, JR. is the Trustee.

WHEREAS, Sections 4.1 and 4.2 of the Trust Agreement provide as follows:

- **4.1** Named Trustee. Settlor shall serve as Trustee until the first to occur of the following: (a) the termination of the Residence Term, (b) Settlor's death, (c) Settlor's incompetency, inability or unwillingness to act as Trustee.
- 4.2 Successor Trustee. Upon the first to occur of the events described in Section 4.1 hereof, BRUCE H. REAVIS shall act as successor Trustee of this trust. In the event of the death, incompetency, inability or unwillingness of BRUCE H. REAVIS to act as a successor Trustee, then OWEN HAMMACK shall act as successor Trustee of this trust. At any time after accepting the appointment as successor Trustee of any trust created hereunder, such successor Trustee may, by an acknowledged, written instrument delivered to each person to whom a distribution from such trust may then be made, appoint in advance a successor individual or corporate Trustee to serve as successor Trustee in the event of the resignation, death, incompetency, inability or unwillingness to act as Trustee of both BRUCE H. REAVIS and OWEN HAMMACK. In the event both BRUCE H. REAVIS and OWEN HAMMACK have made such a designation, then BRUCE H. REAVIS' designation shall control if the individual or corporate Trustee designated by him is then able and willing to so serve.

WHEREAS, the Residence Term of the Trust terminated on December 22, 2004, and the objects of the Trust have not been fully accomplished and it is necessary to the

proper administration of the Trust that the successor Trustee designated in Section 4.2 of the Trust Agreement assume responsibility for the Trust as successor Trustee; and

WHEREAS, BRUCE H. REAVIS is competent and desires to serve as successor Trustee of the Trust pursuant to the provisions of Sections 4.1 and 4.2 of the Trust Agreement.

NOW, THEREFORE, in accordance with the provisions of Sections 4.1 and 4.2 of the Trust Agreement, BRUCE H. REAVIS does hereby accept the appointment as successor Trustee of the Trust with all the powers, duties and authority granted to such Trustee.

This appointment is hereby accepted this \_\_\_\_\_ day of \_\_\_\_\_\_ 2015.

**BRUCE H. REAVIS** 

STATE OF NEVADA

)ss.

COUNTY OF DOUGLAS

This instrument was acknowledged before me on MARCH 6th, 2015, by BRUCE H. REAVIS.

ERIC CHENNAULT NOTARY PUBLIC STATE OF NEVADA My Appt. Exp. June 8, 2017

NOTARY PUBLIC

## **DESIGNATION OF SUCCESSOR TRUSTEE**

WHEREAS, D. GERALD BING, JR. created a Trust pursuant to that certain trust agreement dated December 22, 2004 (the "Trust Agreement"), known as the BING RESIDENCE TRUST (the "Trust") of which D. GERALD BING, JR. was the Trustee.

WHEREAS, Sections 4.1 and 4.2 of the Trust Agreement provide as follows:

- **4.1** Named Trustee. Settlor shall serve as Trustee until the first to occur of the following: (a) the termination of the Residence Term, (b) Settlor's death, (c) Settlor's incompetency, inability or unwillingness to act as Trustee.
- 4.2 Successor Trustee. Upon the first to occur of the events described in Section 4.1 hereof, BRUCE H. REAVIS shall act as successor Trustee of this trust. In the event of the death, incompetency, inability or unwillingness of BRUCE H. REAVIS to act as a successor Trustee, then OWEN HAMMACK shall act as successor Trustee of this trust. At any time after accepting the appointment as successor Trustee of any trust created hereunder, such successor Trustee may, by an acknowledged, written instrument delivered to each person to whom a distribution from such trust may then be made, appoint in advance a successor individual or corporate Trustee to serve as successor Trustee in the event of the resignation, death, incompetency, inability or unwillingness to act as Trustee of both BRUCE H. REAVIS and OWEN HAMMACK. In the event both BRUCE H. REAVIS and OWEN HAMMACK have made such a designation, then BRUCE H. REAVIS' designation shall control if the individual or corporate Trustee designated by him is then able and willing to so serve.

WHEREAS, the Residence Term of the Trust terminated on December 22, 2014, and in accordance with the provisions of Sections 4.1 and 4.2 of the Trust Agreement, by that certain "Notice Confirming Appointment of Successor Trustee" dated MARCH Ch., 2015, BRUCE H. REAVIS accepted the appointment to serve as the successor Trustee of the Trust with all the powers, duties and authority granted to such Trustee.

WHEREAS, by that certain "Declination to Act as a Successor Trustee" dated MACCH 640, 2015, OWEN HAMMACK declined and refused to ever act as a successor trustee of the Trust.

WHEREAS, Section 4.2 of the Trust Agreement authorizes BRUCE H. REAVIS to appoint in advance a successor individual or corporate Trustee to serve as successor Trustee in the event of BRUCE H. REAVIS' resignation, death, incompetency, inability or unwillingness to act as the Trustee of the Trust.

WHEREAS, pursuant to the power granted to him by Section 4.2 of the Trust Agreement, BRUCE H. REAVIS desires to appoint and designate GREGORY V. HOLST, CPA, as the successor Trustee of the Trust to serve in the event of BRUCE H. REAVIS' resignation, death, incompetency, inability or unwillingness to act as the Trustee of the Trust.

NOW, THEREFORE, pursuant to the power granted to him by Section 4.2 of the Trust Agreement, BRUCE H. REAVIS does hereby appoint and designate GREGORY V. HOLST, CPA, as the successor Trustee of the Trust to serve in the event of BRUCE H. REAVIS' resignation, death, incompetency, inability or unwillingness to act as the Trustee of the Trust.

Dated this 6 day of March , 2015.

BRUCE H. REAVIS, Trustee

STATE OF NEVADA

COUNTY OF DOUGLAS ).

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This instrument was acknowledged before me on MAZCH 6th , 2015, by BRUCE H. REAVIS.

ERIC CHENNAULT
NOTARY PUBLIC
STATE OF NEVADA
No. 05-9723: My Appt Exp. June 8, 2017

NOTARY PUBLIC

(My commission expires: JUNE 8,2017