

DOUGLAS COUNTY, NV

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ROLAND LAW FIRM

KAREN ELLISON, RECORDER

**APN:**

1319-22-000-021

**TITLE OF DOCUMENT:**

*Certificate of Trust*

**RECORDING REQUESTED BY:**

Harriet H. Roland, Esq.  
ROLAND LAW FIRM  
2850 W. Horizon Ridge Pkwy., Suite 200  
Henderson, NV 89052

**WHEN RECORDED MAIL TO:**

Harriet H. Roland, Esq.  
ROLAND LAW FIRM  
2850 W. Horizon Ridge Pkwy., Suite 200  
Henderson, NV 89052

**MAIL TAX STATEMENT TO:**

N/A

**CERTIFICATE OF TRUST**  
**Rush 2014 Family Trust**

The undersigned, **Steven G. Rush** and **Audrey J. Rush**, residents of Clark County, Nevada, established the "**Rush 2014 Family Trust**" dated **December 23, 2014**, which provides in pertinent parts as follows:

1. **GRANTORS:** The Grantors under the terms of said Trust are **Steven G. Rush** and **Audrey J. Rush**.
2. **TRUSTEES:** The Trustees under said Trust are **Steven G. Rush** and **Audrey J. Rush**.
3. **SUCCESSOR TRUSTEE:** In the event either original Trustee shall for any reason cease to act as Trustee, the remaining Trustee shall act as sole Trustee. If both original Trustees should become deceased or incapacitated, **Eric D. Rush**, of Reno, Nevada, and **Shannon M. Williams**, of Murrieta, California, shall serve as Co-Successor Trustees of the within referenced Trust Agreement. If either of **Eric D. Rush** or **Shannon M. Williams** should become deceased, unable or unwilling to serve as a Successor Co-Trustee, **Maren M. Rush**, of Reno, Nevada, shall serve as Successor Co-Trustee of the within referenced Trust Agreement together with the remaining Successor Co-Trustee. If only one afore-named Successor Co-Trustees is available to serve, the other may serve alone as the sole Successor Trustee of the within referenced Trust Agreement.
4. **BENEFICIARIES:** The beneficiaries of this Trust are the Grantors during their lifetimes, and others named therein after their deaths.
5. **INCAPACITY:** The determination of the physical or mental incapacity of the Grantors or Trustees named herein shall be certified in writing by one licensed physician or by one licensed psychologist and this determination shall be valid, whether or not a court of competent jurisdiction has declared a Grantor or Trustee incompetent, mentally ill, or in need of a guardian or conservator. Anyone dealing with this Trust may rely on the physician's or the psychologist's written statements regarding the Grantor's or Trustee's incapacity, or a photocopy of the statements, presented to them by the Successor Trustee. A third party relying on such written statements shall not incur any liability to any beneficiary for any dealings with the Successor Trustee in reliance upon such written statements.

6. **POWER TO AMEND OR REVOKE:** During the life of the Grantors, the Trust may be revoked in whole or in part by an instrument in writing signed by the Grantors and delivered to the Trustees. The Grantors may at any time during their life amend any of the terms of the Trust by an instrument in writing signed by the Grantors and delivered to the Trustees. By presenting this certificate, the Trustees hereby represent and affirm that as of the date of presentation, the Trust has not been revoked or amended to make any representations contained in this certificate incorrect, and that the signatures are those of all the currently acting Trustees.
7. **POWER TO ACT ALONE:** Property of the Trust may be held, retained or managed by any one of the original Trustees acting alone without obtaining permission from the other original Trustee.
8. **TITLING OF ASSETS:** The form in which title to assets of the trust is to be taken is as follows:

**“Steven G. Rush and Audrey J. Rush, Trustees of Rush 2014 Family Trust, originally dated December 23, 2014”**

or

**“Steven G. Rush and Audrey J. Rush, TTEES, Rush 2014 Family Trust u/a/d 12/23/14”.**

*The terms u/a/d stands for “under agreement dated” and the term TTEES stands for “Trustees.”*

9. **POWERS OF TRUSTEE(S):**
- (a) With respect to real property: to sell and to buy real property; to mortgage and/or convey by deed of trust or otherwise encumber any real property now or hereafter owned by this Trust (including, but not limited to any real property, the Trustee may hereafter acquire or receive and the Grantors’ personal residence) to lease, sublease, release; to eject, remove and relieve tenants or other persons from, and recover possession of by all lawful means; to accept real property as a gift or as security for a loan; to collect, sue for, receive and receipt for rents and profits and to conserve, invest or utilize any and all of such rents, profits and receipts for the purposes described in this paragraph; to do any act of management and conservation, to pay, compromise or to contest tax assessments and to apply for refunds in connection

therewith; to employ laborers; to subdivide, develop, dedicate to public use without consideration, and/or dedicate easements over; to maintain, protect, repair, preserve, insure, build upon, demolish, alter or improve all or any part thereof; to obtain or vacate plats and adjust boundaries; to adjust differences in valuation on exchange or partition by giving or receiving consideration; to release or partially release real property from a lien.

- (b) To register any securities or other property held hereunder in the names of Trustees or in the name of a nominee, with or without the addition of words indicating that such securities or other property are held in a fiduciary capacity, and to hold in bearer form any securities or other property held hereunder so that title thereto will pass by delivery, but the books and records of Trustees shall show that all such investments are part of their respective funds.
- (c) To hold, manage, invest and account for the separate trusts in one or more consolidated funds, in whole or in part, as they may determine. As to each consolidated fund, the division into the various shares comprising such fund need be made only upon Trustees' books of account.
- (d) To lease Trust property for terms within or beyond the term of the Trust and for any purpose, including exploration for and removal of gas, oil, and other minerals; and to enter into community oil leases, pooling and unitization agreements.
- (e) To borrow money, mortgage, pledge or lease Trust assets for whatever period of time Trustee shall determine, even beyond the expected term of the respective Trust.
- (f) To hold and retain property, real or personal, in the form in which the same may be at the time of the receipt thereof, as long as in the exercise of their discretion it may be advisable so to do, notwithstanding same may not be of a character authorized by law for investment of Trust funds.
- (g) To invest and reinvest in their absolute discretion, and they shall not be restricted in their choice of investments to such investments as are permissible for fiduciaries under any present or future applicable law,

notwithstanding that the same may constitute an interest in a partnership.

- (h) To advance funds to any of the Trusts for any Trust purpose. The interest rate imposed for such advances shall not exceed the current rates.
- (i) To institute, compromise, and defend any actions and proceedings.
- (j) To vote, in person or by proxy, at corporate meetings any shares of stock in any Trust created herein, and to participate in or consent to any voting Trust, reorganization, dissolution, liquidation, merger, or other action affecting any such shares of stock or any corporation which has issued such shares of stock.
- (k) To partition, allot, and distribute, in undivided interest or in kind, or partly in money and partly in kind, and to sell such property as the Trustees may deem necessary to make divisions or partial or final distribution of any of the Trusts.
- (l) To determine what is principal or income of the Trusts and apportion and allocate receipts and expenses as between these accounts.
- (m) To make payments hereunder directly to any Beneficiary under disability, to the guardian of his or her person or estate, to any other person deemed suitable by the Trustees, or by direct payment of such Beneficiary's expenses.
- (n) To employ agents, attorneys, brokers, and other employees, individual or corporate, and to pay them reasonable compensation; which shall be deemed part of the expenses of the Trusts and powers hereunder.
- (o) To accept additions of property to the Trusts, whether made by the Grantors, a member of the Grantors' family, by any beneficiaries hereunder, or by anyone interested in such beneficiaries.
- (p) To hold on deposit or to deposit any funds of any Trust created herein, whether part of the original Trust fund or received thereafter, in one or more savings and loan associations, bank or other financing institution and in such form of account, whether or not interest bearing, as Trustees may determine, without regard to the amount of any such

deposit or to whether or not it would otherwise be a suitable investment for funds of a trust.

- (q) To open and maintain safety deposit boxes in the name of this Trust.
- (r) To make distributions to any Trust or Beneficiary hereunder in cash or in specific property, real or personal, or an undivided interest therein, or partly in cash and partly in such property, and to do so without regard to the income tax basis of specific property so distributed. The Grantors request but do not direct, that the Trustees make distributions in a manner which will result in maximizing the aggregate increase in income tax basis of assets of the estate on account of federal and state estate, inheritance and succession taxes attributable to appreciation of such assets.
- (s) The powers enumerated in NRS 163.265 to NRS 163.410, inclusive, are hereby incorporated herein to the extent they do not conflict with any other provisions of this instrument.
- (t) The enumeration of certain powers of the Trustees shall not limit their general powers, subject always to the discharge of their fiduciary obligations, and being vested with and having all the rights, powers, and privileges which an absolute owner of the same property would have.
- (u) The Trustees shall have the power to invest Trust assets in securities of every kind, including debt and equity securities, to buy and sell securities, to write covered securities options on recognized options exchanges, to buy-back covered securities options listed on such exchanges, to buy and sell listed securities options, individually and in combination, employing recognized investment techniques such as, but not limited to, spreads, straddles, and other documents, including margin and option agreements which may be required by securities brokerage firms in connection with the opening of accounts in which such option transactions will be effected.
- (v) The power to guaranty loans made for the benefit of, in whole or in part, any Grantor or Beneficiary or any entity in which any Grantor or Beneficiary has a direct or indirect interest.
- (w) The power to make loans to any person or entity.

(x) In regard to the operation of any closely held business of the Trust, the Trustees shall have the following powers:

- (1) The power to retain and continue the business engaged in by the Trust or to recapitalize, liquidate or sell the same.
- (2) The power to direct, control, supervise, manage, or participate in the operation of the business and to determine the manner and degree of the fiduciary's active participation in the management of the business and to that end to delegate all or any part of the power to supervise, manage or operate the business to such person or persons as the fiduciary may select, including any individual who may be a Beneficiary or Trustee hereunder.
- (3) The power to engage, compensate and discharge, or as stockholder owning the stock of the Corporation, to vote for the engagement, compensation and discharge of such manager, employees, agents, attorneys, accountants, consultants or other representatives, including anyone who may be a Beneficiary or Trustee hereunder.
- (4) The power to become or continue to be an officer, director or employee of a Corporation and to be paid reasonable compensation from such Corporation as such officer, director and employee, in addition to any compensation otherwise allowed by law.
- (5) The power to invest or employ in such business such other assets of the Trust estate.

[[Signature page on next page]]

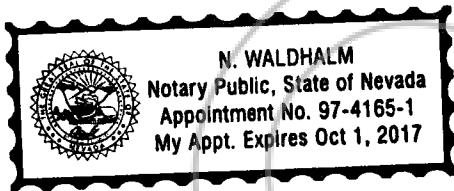
IN WITNESS WHEREOF, the Grantors and Trustees have hereunto set their hands on December 23, 2014.

Steven G. Rush  
Steven G. Rush, Grantor and Trustee

Audrey J. Rush  
Audrey J. Rush, Grantor and Trustee

STATE OF NEVADA     )  
  )ss.  
COUNTY OF CLARK    )

On this 23<sup>rd</sup> day of December, 2014, before me, the undersigned, a Notary Public in and for said County of Clark, State of Nevada, personally appeared **Steven G. Rush** and **Audrey J. Rush** personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to this *Certificate of Trust*, and acknowledged that they executed it. WITNESS my hand and official seal.



N. Waldhalm  
NOTARY PUBLIC