20091105000413940 1/3 $17.00
Shelby Cnty Judge of Probate, AL
11/05/2009 10:41:42 AM FILED/CERT

ABSTRACT OF TRUST

THIS IS TO CERTIFY that **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH** have created a revocable living trust, the situs of which is the State of California, named **THE ROBERT D. AND VICKI L. ASHWORTH REVOCABLE LIVING TRUST,** dated OCTOBER 26, 2009, **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH,** Trustees. The purpose of the Trust is to provide for the management of the Settlors' estate during their lifetimes, and for the orderly transfer and management of their estate upon the death of either or both of them.

1. DECLARATION AND TERMS OF THE TRUST

1.1 Trust Name. **THE ROBERT D. AND VICKI L. ASHWORTH REVOCABLE LIVING TRUST.**

1.2 Trust Date. This Trust was executed OCTOBER 26, 2009.

1.3 Settlors. The Settlors are **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH.**

1.4 Trustees and Successors. **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH** are the initial Trustees of this Trust, with the survivor serving as sole Trustee.

Wife's Mother, **DARLENE LEWIS,** of 45871 Meadow Lane, Laytonville, California 95454, and Wife's Step-Father, **MICHAEL R. LEWIS**, of 45871 Meadow Lane, Laytonville, California 95454, one at a time, in the order listed, shall serve as Successor Trustee.

All references herein to "Trustee" or "Trustees" shall refer to the Trustee or Co-Trustees acting at the pertinent time.

1.5 Beneficiaries. **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH** are the Beneficiaries of this Trust during their lifetimes.

1.6 On the Deceased Spouse's death, the Trustees may divide the Trust Estate into two separate Trusts, designated the Survivor's Trust, and, if it is created, the Exemption Trust. If the division into two trusts is made, the Survivor's Trust is to qualify for the marital deduction (IRS Code Sec. 2056).

1.7 During the Settlors' lifetimes, this Trust may be amended or revoked in whole or in part. On the Deceased Spouse's death, the Surviving Spouse may amend, revoke, or terminate the Survivor's Trust; but the Exemption Trust, if it is created, may not be amended, revoked, or terminated. On the Surviving Spouse's death, neither of the Trusts may be amended, revoked, or terminated.

1.8 While the Settlors are both living, they have unlimited access to income and principal of the Trust. Upon the death of one Spouse, the Surviving Spouse has unlimited right to income and principal of the Survivor's Trust, income from the Exemption Trust, if it is created.

1.9 Community Property transferred to the Trust retains its character as Community Property, and Separate Property retains its character as Separate Property; if the Trust is revoked, each type of property reverts back to the same form of ownership as it was held before the Trust was executed.

1.10 The Surviving Spouse has unlimited power of appointment over the Survivor's Trust, but no power of appointment over the Exemption Trust, if it is created.

1.11 Trustees may delegate to one or more remaining Trustees any powers, duties or discretions. Delegation must be in writing and remains in effect until specified or revoked.

2. TRUSTEES' POWERS

To carry out the provisions of the Trusts created by this instrument, the Trustees shall have the following powers, besides those now or later conferred by law:

2.1 Broad Investment Powers, Diversification Not Required.
2.2 Power to Retain Property.
2.3 Power to Purchase Bonds at Premium.
2.4 Power to Purchase Bonds at Discount.
2.5 Power to Retain or Purchase Unproductive Property.
2.6 Power to Manage Securities (Standard Clause).
2.7 Power to Hold Securities in Nominee's Name.
2.8 Power to Sell, Exchange, Repair.
2.9 Power to Lease, Including Oil and Mineral Development.
2.10 Power to Lend to Settlor's Probate Estate
2.11 Power to Purchase Property from Settlor's Probate Estate
2.12 Trustees' Power to Loan To, Buy From, and Sell to Trust Individual.
2.13 Release of Powers
2.14 Power to Adjust for Tax Consequences
2.15 Power to Borrow.
2.16 Power to Initiate or Defend Litigation and to Compromise.

2.17 Power to Insure.
2.18 Power to Withhold Payment if Conflicting Claims Arise.
2.19 Power to Purchase Treasury Bonds.
2.20 Power to Employ Agents.
2.21 Broad Powers of Distribution.
2.22 Power to Hold Back.
2.23 Authority to Pay Death Taxes.
2.24 Equitable Proration of Taxes.

The trust contains a Spendthrift Clause and a No-Contest Clause.

THIS TRUST WAS EXECUTED in the City of El Dorado Hills, County of El Dorado, State of California, on OCTOBER 26, 2009.

TRUSTEES:

ROBERT D. ASHWORTH JR.

VICKI L. ASHWORTH

SETTLORS:

ROBERT D. ASHWORTH JR.

VICKI L. ASHWORTH

ACKNOWLEDGMENT

State of California)
)
County of El Dorado)

On OCT 26 2009 before me, **FRANK P. TABACCA,** "Notary Public" personally appeared **ROBERT D. ASHWORTH JR.** and **VICKI L. ASHWORTH,** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

FRANK P. TABACCA
COMM. # 1689352
NOTARY PUBLIC-CALIFORNIA
MARIN COUNTY
MY COMM. EXP. SEPT. 21, 2010

Signature of Notary Public (Seal)