The Christine

**Family Trust** 

# Article One Establishing My Trust

The date of this trust is March 13, 2024. The parties to this trust are Christine (*Grantor*) and Christine (*Trustee*).

I intend to create a valid trust under the laws of Washington and under the laws of any state in which any trust created under this trust document is administered. The terms of this trust prevail over any provision of Washington law, except those provisions that are mandatory and may not be waived.

# Section 1.01 Identifying My Trust

For convenience, my trust may be referred to as:

"The Christine Family Trust dated March 13, 2024".

To the extent practicable, for the purpose of transferring property to my trust or identifying my trust in any beneficiary or pay-on-death designation, my trust should be identified as:

"Christine Trustee, or the successors in interest, of the Christine Family Trust dated March 13, 2024, and any amendments thereto."

### Section 1.02 Transferring Property to My Trust

By executing this instrument, I transfer to my Trustee \$10 in cash. My Trustee accepts and agrees to hold the \$10 as trust property. Any additional property transferred to my trust must be accepted by my Trustee. My Trustee shall hold, administer, and dispose of all accepted trust property for my benefit and for the benefit of my beneficiaries, in accordance with the terms of this instrument.

# Section 1.03 Powers Reserved by Me as Grantor

As Grantor, I retain the powers set forth in this Section in addition to any powers that I reserve in other provisions of this instrument.

### (a) Action on Behalf of My Trust

Whenever I am serving as Trustee, I may act for and conduct business on behalf of my trust without the consent of any other Trustee.

### (b) Amendment, Restatement, or Revocation

I may amend, restate, or revoke this instrument, in whole or in part, for any purpose. Any amendment, restatement, or revocation must be made in writing and delivered to the thenserving Trustee.

### (c) Addition or Removal of Trust Property

I may add property to my trust and may remove any property from my trust at any time.

# (d) Control of Income and Principal Distributions

I retain the right to control the distribution of income and principal from my trust. I may direct my Trustee to distribute as much of the net income and principal of the trust property as I consider advisable to me or to other persons or entities. My Trustee may distribute the net income and principal to me or for my unrestricted use and benefit, even to the exhaustion of all trust property. Any undistributed net income is to be added to the principal of my trust.

### (e) Approval of Investment Decisions

I reserve the absolute right to review and change my Trustee's investment decisions. But my Trustee is not required to seek my approval before making investment decisions.

# Article Two Family Information

I have the following children.

Caitlin i	, born on July 14,
Allison	, born on January 20,

All references in my Trust to "my children" are references to these children, as well as to any children subsequently born to me or adopted by me in a legal proceeding valid in the jurisdiction (domestic or foreign) in which it occurred.

References to "my descendants" are to my children and their descendants, including descendants of any deceased child.

# Article Three Trustee Succession

### Section 3.01 Resignation of a Trustee

A Trustee may resign by giving written notice to me. If I am incapacitated or deceased, a resigning Trustee must give written notice to the trust's Income Beneficiaries and to any other then-serving Trustee.

Upon the resignation of a Trustee, the resigning Trustee may appoint the resigning Trustee's successor as Trustee in the manner set forth in Section 3.04, concurrent with the written notice described above. If the resigning Trustee fails to make the appointment, the other provisions of this Article regarding Trustee succession upon my incapacity or my death will govern, and the next named successor or successors to the resigning Trustee will serve in the order listed. Likewise, if no named successors to the resigning Trustees are available to serve and the resigning Trustee fails to designate a successor, the other provisions of this Article regarding the filling of a vacant Trustee office will govern.

### Section 3.02 Trustee Succession

This Section governs the removal and replacement of my Trustees.

### (a) My Right to Remove and Replace Trustees

During my lifetime and during any period I am not incapacitated, I may remove any Trustee with or without cause at any time. If a Trustee is removed, resigns, or cannot continue to serve for any reason, I may serve as sole Trustee, name a Trustee to serve with me, or name a successor Trustee.

### (b) Successor Trustees

Upon my incapacity or death, I name the following to serve as successor Trustee, in the order named, replacing any then-serving Trustee.

Caitlin Chester

## (c) Trustee of the Share for A

Upon my death, I name Bank of America, N.A. as successor Trustee for the share set aside for Allison

### (d) Removal and Replacement of Trustees

A Trustee may be removed under this Subsection only if the person having the right of removal appoints an individual or a corporate fiduciary by the effective removal date and the individual or corporate fiduciary simultaneously commences service as Trustee. This appointed Trustee may not be related or subordinate to the person or persons having the right of removal within the meaning of Internal Revenue Code Section 672(c).

The right to remove a Trustee under this Subsection is not to be interpreted as granting the person holding that right any of the powers of that Trustee.

A minor or incapacitated beneficiary's parent or Legal Representative may act on his or her behalf.

### (e) Default of Designation

If the office of Trustee of a must created under this instrument is vacant and no designated successor Trustee is able and willing to act as Trustee, the trust's Primary Beneficiary may appoint an individual or corporate fiduciary that is not related or subordinate to the person or persons making the appointment within the meaning of Section 672(c) of the Internal Revenue Code as successor Trustee.

Any beneficiary may petition a court of competent jurisdiction to appoint a successor Trustee to fill any vacancy lasting longer than 30 days. The petition may subject the trust to the jurisdiction of the court only to the extent necessary to make the appointment and may not subject the trust to the continuing jurisdiction of the court.

A minor or incapacitated beneficiary's parent or Legal Representative may act on his or her behalf.

If a Trustee vacancy arises due to resignation, the previous provisions apply only if the resigning Trustee fails to appoint a successor Trustee.

# Section 3.03 Incapacity of a Trustee

If any individual Trustee becomes incapacitated, the incapacitated Trustee need not resign as Trustee. For Trustees other than me, a written, good-faith declaration of incapacity by the Co-Trustee or, if none, by the party designated to succeed the incapacitated Trustee, will terminate the trusteeship. If the Trustee designated in the written declaration objects in writing to termination of the trusteeship within five days of receiving the declaration of incapacity, a written opinion of incapacity signed by a physician who has examined this Trustee must be obtained before the trusteeship will be terminated for incapacity. The Trustee objecting to termination of trusteeship must sign the necessary medical releases needed to obtain the physician's written opinion of incapacity, or the trusteeship will be terminated without the physician's written opinion.

Trustee or, if none, by the party designated to succeed the incapacitated Trustee, will terminate the trusteeship. If the Trustee designated in the written declaration objects in writing to termination of the trusteeship within five days of receiving the declaration of incapacity, a written opinion of incapacity signed by a physician who has examined this Trustee must be obtained before the trusteeship will be terminated for incapacity. The Trustee objecting to termination of trusteeship must sign the necessary medical releases needed to obtain the physician's written opinion of incapacity, or the trusteeship will be terminated without the physician's written opinion.

# Section 3.04 Documenting Change of Trustee Status

Any appointment, removal, resignation, or other change in trusteeship must be in writing and signed by the person or persons exercising the power. The written notice must be dated, must specify the effective date and other terms regarding the change of Trustee status, and must be delivered as specified in Section 3.05 of this instrument.

# Section 3.05 Notice of Removal and Appointment

Notice of removal must be delivered to the Trustee being removed, and to any other then-serving Trustees. The notice of removal will be effective in accordance with its provisions.

Notice of appointment must be delivered to the successor Trustee and any other then-serving Trustees. The appointment will become effective at the time of acceptance by the successor Trustee. A copy of the notice of appointment may be attached to this instrument.

# Article Four Administration of My Trust during My Incapacity

During any period of time when I am incapacitated, my Trustee shall administer my trust as provided in this Article.

# Section 4.01 Distributions for My Benefit

My Trustee shall regularly and conscientiously make appropriate distributions of the net income and principal for my general welfare and comfort under the circumstances existing at the time those distributions are made. My Trustee may make distributions for my benefit in any one or more of the following ways:

to me, to the extent I am able to manage these distributions;

to other persons and entities for my use and benefit;

to an agent or attorney in fact authorized to act for me under a legally valid durable power of attorney executed by me prior to incapacity; and

to my guardian or conservator, who has assumed responsibility for me under any court order, decree, or judgment issued by a court of competent jurisdiction.

# Section 4.02 Distributions for the Benefit of My Dependents

My Trustee may distribute as much of the net income and principal as my Trustee considers necessary for the health, education, maintenance, or support of persons that my Trustee determines to be dependent on me for support.

### Section 4.03 Guidance for Making Distributions

When making distributions under Section 4.01 and Section 4.02, my Trustee shall give consideration first to my needs and then to the needs of those persons dependent on me.

When making distributions under Section 4.02, I request that my Trustee, with sole and absolute discretion, consider other income and resources available to the beneficiaries. My Trustee may make unequal distributions, distributions to some but not all beneficiaries, or no distributions.

A distribution made to a beneficiary under this Section will not be considered an advancement, and will not be charged against the share of the beneficiary that may be distributable under any other provision of this instrument.

# Article Five Administration of My Trust upon My Death

# Section 5.01 Payment of Expenses and Taxes

After my death, my Trustee may pay from the trust property:

- expenses of my last illness, funeral, and burial or cremation, including expenses of memorials and memorial services;
- legally enforceable claims against me or my estate;
- expenses of administering the trust and my estate; and
- court-ordered allowances for those dependent upon me.

These payments are discretionary with my Trustee. My Trustee may make decisions on these payments without regard to any limitation on payment of the expenses and may make payments without any court's approval. No third party may enforce any claim or right to payment against the trust by virtue of this discretionary authority.

### Section 5.02 Payment of Death Taxes

For the purposes of this Article, the term *death taxes* refers to any taxes imposed by reason of my death by federal, state, or local authorities, including estate, inheritance, gift, and direct-skip generation-skipping transfer taxes. For purposes of this Section, *death taxes* does not include any additional estate tax imposed by Internal Revenue Code Section 2031(c)(5)(C), Section 2032A(c), or any other comparable recapture tax imposed by any taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct-skip generation-skipping transfer tax.

Except as otherwise specified in this Article or elsewhere in this trust, my Trustee shall apportion and pay death taxes as provided under the laws of Washington in effect on the date of my death.

# Article Six

# Specific Distributions and Disposition of Tangible Personal Property

### Section 6.01 Specific Distribution to Al

As soon as practicable after my death, my Trustee shall distribute real property commonly known as WA to Allison If Allison is deceased, then this distribution will lapse, and this property instead will be distributed under the other provisions of this trust.

Property passing under this section passes free of any administrative expenses or death taxes. But property passing under this section passes subject to all liens, security interests, and other encumbrances.

# Section 6.02 Specific Distribution to My Descendants

As soon as practicable after my death, my Trustee shall distribute any real property, including buildings and improvements, used by me as a principal residence, which is currently real property commonly known as WA, to my descendants to be administered under the terms of Article Seven. This gift includes insurance policies on the property and claims under those policies. My Trustee shall distribute the property subject to all liens and encumbrances against the property that exist at the time of my death. Property passing under this section passes free of any administrative expenses or death taxes. But property passing under this section passes subject to all liens, security interests, and other encumbrances.

# Section 6.03 Specific Distribution to Adventure of Faith Church

My Trustee shall distribute 10% of my remaining trust property, excluding my specific gifts of real property, to Presbyterian Church

in Washington. If Church no longer exists, my Trustee shall distribute its portion to its successor in interest. If Church has no successor in interest or its successors in interest cannot be identified with reasonable certainty, this distribution shall lapse.

# Section 6.04 Distribution of Remaining Tangible Personal Property

My Trustee shall divide and distribute my remaining tangible personal property under the terms of this instrument.

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or the beneficiary's Legal Representative, my Trustee shall pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my trust, my Trustee shall distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

# Article Seven Distribution to My Descendants

My Trustee shall administer and distribute my remaining trust property (not distributed under prior Articles of this instrument) under the terms of this Article.

# Section 7.01 Division of My Trust Property

My Trustee shall divide my remaining trust property into separate shares for my descendants, per stirpes.

My Trustee shall administer the share for each of my living children as a separate share for the benefit of the child as provided in the Sections that follow. My Trustee shall administer the share for each descendant of a deceased child as provided in Section 7.04.

#### Distribution of the Share for Caitlin Section 7.02

My Trustee shall administer the share set aside for Caitlin in trust as provided in this Section.

#### **(a) Distributions of Net Income**

At least annually, my Trustee shall distribute to Caitlin all of the net income of her trust.

#### (b) **Distributions of Principal**

My Independent Trustee may distribute to Caitlin as much of the principal of her trust as my Independent Trustee may determine advisable for any purpose. If no Independent Trustee is then serving, my Trustee shall distribute to Caitlin

as much of the principal of her trust as my Trustee determines necessary or advisable for her health, education, maintenance, or support.

#### **Right to Withdraw Principal** (c)

Caitlin may withdraw any portion or all of the accumulated trust income and principal from her trust.

Caitlin may exercise this right by delivering written notice to my Trustee, setting forth the desired withdrawal amount. Upon receiving a notice, my Trustee shall convey and deliver the requested amount to Caitlin free of trust. Caitlin right of withdrawal is a privilege that may be , is not subject to the claims of any exercised only by Caitlin creditor or to legal process, and may not be voluntarily or involuntarily alienated or encumbered. This provision does not limit the exercise of any power of appointment Caitlin may have.

#### (d) Distribution upon the Death of Caitlin

Caitlin has the unlimited testamentary general power to appoint all or any portion of the principal and undistributed income remaining in her trust at her death among one or more persons or entities and the creditors of Caitlin

estate. Caitlin has the exclusive right to exercise this general power of appointment.

I intend to create a general power of appointment as defined in Internal Revenue Code Section 2041.

If any part of Caitlin trust is not effectively appointed, my Trustee shall distribute the remaining unappointed balance per stirpes in trusts to the descendants of Caitlin If Caitlin has no then-living descendants, my Trustee shall distribute the balance of the trust property per stirpes in trusts to my descendants. My Trustee shall administer the trusts under the same terms as Caitlin . If I have no then-living descendants, my Trustee shall distribute the balance of the trust property as provided in Article Eight.

### Section 7.03 Distribution of the Share for Allison

My Trustee shall administer the share set aside for Allison 1 in trust as provided in this Section.

### (a) Distributions of Income and Principal

My Independent Trustee may distribute to Allison as much of the income and principal of her trust as my Independent Trustee may determine advisable for any purpose. If no Independent Trustee is then serving, my Trustee shall distribute to Allison as much of the income and principal of her trust as my Trustee determines necessary or advisable for her health, education, maintenance, or support.

My Trustee shall add any undistributed net income to principal.

### (b) Right to Withdraw Principal

Allison has the right, exercisable by written request to my Trustee before each calendar year's close, to make a cash or in-kind withdrawal of:

an amount from the principal of Allison not exceeding the amount referred to in Internal Revenue Code Section 2514(e)(1); and if Allison is living on the last day of the calendar year, that percentage referred to in Section 2514(e)(2) of the current fair market value Allison principal, reduced by any amounts previously withdrawn by Allison during the calendar year under this paragraph.

The amount referenced by Section 2514(e)(2) must be determined by taking into account all other powers of withdrawal exercised by Allison that must be aggregated under Section 2514(e)(2) in determining the largest lapse that can occur without being treated as a release. Allison right of

withdrawal will lapse if not exercised during the calendar year.

My Trustee shall distribute the requested property to Allison outright and free from trust.

### (c) Distribution upon the Death of Allison

Allison the unlimited testamentary general power to appoint all or any portion of the principal and undistributed income remaining in her trust at her death among one or more persons or entities and the creditors of Allison

estate. Allison has the exclusive right to exercise this general power of appointment.

I intend to create a general power of appointment as defined in Internal Revenue Code Section 2041.

If any part of Allison trust is not effectively appointed, my Trustee shall distribute the remaining unappointed balance per stirpes in trusts to the descendants of Allison If Allison has no then-living descendants, my Trustee shall distribute the balance of the trust property.

has no then-living descendants, my Trustee shall distribute the balance of the trust property per stirpes in trusts to my descendants. My Trustee shall administer the trusts under the same terms as Allison If I have no then-living descendants, my Trustee shall distribute the balance of the trust property as provided in Article Eight.

### Section 7.04 Distribution of Trust Shares for Descendants of a Deceased Child

My Trustee shall distribute the share set aside for a descendant of a deceased child to the descendant outright and free of trust.

# Article Eight Remote Contingent Distribution

If at any time no person or entity is qualified to receive final distribution of any part of my trust estate, that portion of my trust estate must be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and proportioned under the laws of Washington then in effect.

# Article Nine

# **Distributions to Underage and Incapacitated Beneficiaries**

If my Trustee is authorized or directed under any provision of this trust to distribute net income or principal to a person who has not yet reached 21 years of age or who is incapacitated as defined in Section 11.02, my Trustee may make the distribution by any one or more of the methods described in Section 9.01.

I request that before making a distribution to a beneficiary, my Trustee consider, to the extent reasonable, the ability the beneficiary has demonstrated in managing prior distributions of trust property.

### Section 9.01 Methods of Distribution

My Trustee may distribute trust property for any beneficiary's benefit, subject to the provisions of this Article in any one or more of the following methods:

My Trustee may distribute trust property directly to the beneficiary.

My Trustee may distribute trust property to the beneficiary's guardian, conservator, parent, other family member, or any person who has assumed the responsibility of caring for the beneficiary.

My Trustee may distribute trust property to any person or entity, including my Trustee, as custodian for the beneficiary under the Uniform Transfers to Minors Act or similar statute.

My Trustee may distribute trust property to other persons and entities for the beneficiary's use and benefit.

My Trustee may distribute trust property to an agent or attorney in fact authorized to act for the beneficiary under a valid durable power of attorney executed by the beneficiary before becoming incapacitated.

# Section 9.02 Application of Article

Any decision made by my Trustee under this Article is final, controlling, and binding upon all beneficiaries subject to the provisions of this Article.

The provisions of this Article do not apply to distributions to me from any trust established under this trust.

# Article Ten Trust Administration and Trustee Powers

The terms of this trust prevail over any provision of Washington law, except those provisions that are mandatory and may not be waived.

# Section 10.01 Distributions to Beneficiaries

Whenever this instrument authorizes or directs my Trustee to make a distribution of net income or principal to a beneficiary, my Trustee may apply any property that otherwise could be distributed directly to the beneficiary for the beneficiary's benefit. My Trustee does not have a duty to inquire into the beneficiary's ultimate disposition of the distributed property unless specifically directed otherwise by this instrument.

# Section 10.02 Fiduciary Compensation

A corporate fiduciary shall be entitled to charge and receive compensation for its services in accordance with its schedule of rates, published from time to time and in effect at the time the compensation is paid, including minimum fees, and additional compensation for special investments, closely held business interests and certain other services. Fiduciary compensation may be paid without prior court approval. This provision is intended to authorize specific rates or amounts of commissions within the meaning of any applicable state statute requiring such a provision. A corporate fiduciary's compensation may exceed the compensation for such services in effect from time to time under applicable law.

# Section 10.03 Trustee Compensation

Except for any Grantor, an individual serving as Trustee is entitled to fair and reasonable compensation for the services provided as a fiduciary and to be reimbursed for reasonable expenses incurred in carrying out the Trustee's duties under this instrument. A Trustee may charge additional fees for services the Trustee provides that are not comprised within the duties as Trustee, including fees for legal services, tax return preparation, and corporate finance or investment banking services.

# Section 10.04 Determination of Principal and Income

The Washington Principal and Income Law will govern beneficiaries' rights among themselves in matters concerning principal and income. If the Washington Principal and Income Law contains no provision concerning a particular item, my Trustee will determine in an equitable and practical manner what will be credited, charged, and apportioned between principal and income.

### Section 10.05 Reports

Whenever I am not serving as Trustee, the Trustee of each trust created under this instrument shall prepare an annual report showing the receipts, disbursements, and distributions of income, principal, and the assets on hand. The Trustee shall deliver the report to the income beneficiary unless the beneficiary waives the right to the annual report. Delivery of a federal fiduciary income tax return filed for the trust will satisfy the annual report requirement of this Section for the year of the return.

## Section 10.06 My Trustee's Powers

My Trustee may exercise all the powers conferred by this instrument without prior approval from any court, and may perform every act reasonably necessary to administer my trust estate as established under this instrument. My Trustee may also exercise any powers conferred by law, including all those powers set forth under the common law or statutory laws of Washington or any other jurisdiction whose laws apply to this trust. The powers set forth in the Washington Fiduciary Powers Law are specifically incorporated into this instrument. The powers conferred upon my Trustee by law, including those powers conferred by the Washington Fiduciary Powers Law, are to be subject to any express limitations or contrary directions contained in this instrument.

My Trustee shall exercise these powers in the manner my Trustee determines to be in the beneficiaries' best interests. My Trustee may not exercise any of my Trustee's powers in a manner that is inconsistent with the beneficiaries' right to the beneficial enjoyment of the trust property in accordance with the general principles of the law of trusts. A Trustee of a trust may have duties and responsibilities in addition to those described in this instrument. I encourage my Trustee to obtain appropriate legal advice if my Trustee has any questions concerning the duties and responsibilities as Trustee.

# Article Eleven General Provisions

# Section 11.01 Survivorship Presumption

If any beneficiary is living at my death, but dies within 45 days after my death, then the beneficiary will be considered to have predeceased me.

### Section 11.02 Incapacity

Except as otherwise provided in this instrument, a person is considered incapacitated in any of the following circumstances.

# (a) The Opinion of Two Licensed Physicians

An individual is considered to be incapacitated whenever two licensed physicians give the opinion that the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age; illness; use of prescription medications, drugs, or other substances; or any other cause. If an individual whose capacity is in question refuses to provide necessary documentation or otherwise submit to examination by licensed physicians, that individual will be considered incapacitated. An individual is considered restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

# (b) Court Determination

An individual is considered incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent, or legally incapacitated.

# Section 11.03 General Provisions and Rules of Construction

The following general provisions and rules of construction apply to this trust.

# (a) Multiple Originals; Validity of Paper or Electronic Copies

This trust may be executed in any number of counterparts, each of which will be considered an original.

Any person may rely on a paper or electronic copy of this trust that the Trustee certifies to be a true copy as if it were an original.

# (b) Singular and Plural; Gender

Unless the context requires otherwise, singular words may be construed as plural, and plural words may be construed as singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word *or*, when used in a list of more than two items, may function as both a conjunction and a disjunction as the context requires.

# (c) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and Subsections used within this trust are included solely for the convenience of the reader. They have no significance in the interpretation or construction of this trust.

# (d) Governing State Law

This trust is governed, construed, and administered according to the laws of Washington, as amended except as to trust property required by law to be governed by the laws of another jurisdiction and unless the situs of administration is changed pursuant to Washington law.

# (e) Notices

Unless otherwise stated, any notice required under this trust will be in writing. The notice may be personally delivered with proof of delivery to the party requiring notice and will be effective on the date personally delivered. Notice may also be mailed, postage prepaid, by certified mail with return receipt requested to the last known address of the party requiring notice. Mailed notice is effective on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If the party requiring notice is a minor or incapacitated individual, notice will be given to the parent or Legal Representative.

# (f) Severability

The invalidity or unenforceability of any provision of this trust does not affect the validity or enforceability of any other provision of this trust. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of this trust are to be interpreted as if the invalid provision had never been included. I have executed this trust on March 13, 2024. This trust instrument is effective when signed by me, whether or not now signed by a Trustee.

Mustul , Grantor and Trustee

STATE OF WASHINGTON

COUNTY OF

I certify that I know or have satisfactory evidence that Christine is the person who appeared before me, and said person signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.

) ) ss. )

Signed and attested before me on March 13, 2024 by Christine



Notary Public for the State of Washington

My commission expires April 9, 2027

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