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Land Title & Escrow of Skagit & Island County  
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Skagit County Auditor

\$78.00

2/7/2017 Page

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6 3:17PM

Recording Cover Page

01-161126-SE  
Document Title(s) (for transactions contained therein):

1. Certification of Trust
- 2.
- 3.
- 4.

COPY

Reference Number(s) of Documents assigned or released:  
(on page \_\_\_\_ of document(s))

Land Title and Escrow

Grantor(s)

1. Neva B. Herrera
2. Franklin W. Batchelor III
- 3.
- 4.

Additional Names on page \_\_\_\_ of document.

Grantee(s)

1. Franklin and Betty Batchelor Revocable Living Trust
- 2.
- 3.
- 4.

Additional Names on page \_\_\_\_ of document.

Legal Description (abbreviated i.e. lot, block, plat or section, township, range)

Lots 11 and 26, Tract No. 1 PEAVY'S SCREAGE, TRACTS NO. 1 & 2, SECTIONS 17, 20, 21, 22 & ^ 27, TOWNSHIP 35 NORTH, RANGE 5 EAST, SKAGIT CO. WASH.

Additional legal is on page \_\_\_\_ of document.

Assessor's Property Tax Parcel/Account Number

P67883, P 67905, 3966-001-011-0001, 3966-001-026-0004

The Auditor/Recorder will rely on information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

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**CERTIFICATION OF SUCCESSOR TRUSTEE**

COMES NOW NEVA B. HERRERA, whose address is 4308 Clyde Road, Langley, Washington 98260 and FRANKLIN W. BATCHELOR III, whose address is 26234 Burmaster Road, Sedro Woolley, Washington 98284, Successor Trustees of the FRANKLIN and BETTY BATCHELOR REVOCABLE LIVING TRUST, and state under penalty of perjury under the laws of the State of Washington that the following facts are true with respect to the said Trust:

1. That the initial Trustees, Betty A. Batchelor and Franklin W. Batchelor, died as residents of Skagit County, Washington, on December 1, 2010 and February 25, 2016 respectively.

2. Neva B. Herrera and Franklin W. Batchelor III make this certification as evidence of their authority and acceptance of appointment as Successor Trustees and declare that she/he has, and exercises, all powers granted by the said Trust, and by the laws of the State of Washington as a Trustee.

3. The Last Will and Testaments of Betty A. Batchelor and Franklin W. Batchelor, each dated January 28, 1997, were filed in Skagit County Superior Court, under Probate Cause No. 16-4-00086-0.

4. The undersigned further declares that the costs of administration and the expenses of last illness, funeral expenses and all known claims on the Estate and Trust above named have been paid or provided for.

Dated this 8 day of April 2016.

Franklin and Betty Batchelor Revocable Trust  
dated January 28, 1997

By: Neva B. Herrera  
NEVA B. HERRERA, Successor Trustee



established hereunder to any disabled or handicapped beneficiary be made at the sole and absolute discretion of Trustee for the sole purpose of providing extra and supplemental benefits to such a beneficiary. Provided however, this Article 10.16 shall not apply to the income interest of Survivor's share of any trust hereunder for which a marital deduction is allowed under Section 2056 of the Code (or which is a Qualified Domestic Trust), in which case all income thereof is to be distributed to Survivor as provided in a Marital Trust.

10.17 Prevention of Perpetuities. Notwithstanding any term or provision in this instrument seemingly to the contrary, each trust established hereunder which has not terminated at some earlier date, shall, in any event, terminate one day earlier than 21 years after the death of the survivor of all those among the individual beneficiaries thereof who are living on the date of Survivor's death, and Trustee shall thereupon distribute all remaining assets of each trust to the beneficiary or beneficiaries in accordance with their interests at that time.

10.18 Interpretation and Governing Law. Where context and circumstances require, the gender of all words used in this instrument shall include the masculine, feminine and neuter, and the singular of all words shall include the plural and the plural the singular. This instrument shall be construed and interpreted in accordance with the internal laws of the State of Washington, provided, however, the situs of any trust created hereunder may be changed as Provided under applicable law.

10.19 Administration of Residential Property. Trustee may retain or purchase any residential property and maintain it at the expense of the trust as long as Trustee deems it practicable to do so in furtherance of the trust purposes. Whatever homes (including winter or summer recreational residences and any condominium units for personal use) in which a Grantor held an interest at the time of such Grantor's death and are part of any trust estate shall be available for the use of such Grantor as long as Grantor so desires. Trustee shall maintain such homes at the expense of the trust, including payment of taxes and assessments. Such homes shall not be sold without Grantor's consent if living, or, in the event of Grantor's incapacity, the consent of such Grantor's legal guardian or attorney in fact under a durable power of attorney.

## ARTICLE 11. SUCCESSOR AND CO-TRUSTEES

11.1 Successor Trustee. If at any time a Grantor Trustee should decline, fail, become disabled (within the meaning of Article 10.12), resign or for any reason is unable to act as a Trustee, the remaining Grantor may, but need not, appoint such other person or entity as he or she shall designate in writing as a Trustee, including himself or herself. In the event

both Grantors have declined, failed, become disabled, resigned or for any other reason are unable to act as Trustee, the then non-disabled Grantor(s) may appoint such person or entity as they or the Survivor designates in writing as Trustee. In the absence of such designation, Grantors appoint NEVA B. HERRERA and FRANKLIN W. BATCHELOR, III, as co-successor Trustees. Any successor Trustee shall have the same power as the original Trustee to designate a successor. Trustee may resign without approval of the court upon providing an accounting of trust assets in a manner satisfactory to the successor trustee as indicated by the written acceptance of trust assets and approval of such accounting by the successor trustee. Appointment of a successor trustee as provided herein shall not require court approval.

11.2 Removal of Corporate Trustee. If a corporate trustee is then serving, 50 percent of the legally competent beneficiaries to whom the income of any trust created herein is distributable by Trustee, whether obligatory or at the discretion of Trustee, by written notice may remove the corporate trustee of that trust and appoint as successor corporate trustee any financial institution authorized to perform trust services with a net worth in excess of \$50,000,000. This notice shall be delivered to any trust officer of Trustee or mailed by certified or registered mail. Trustee being removed shall have not more than 120 days from the receipt of such notice or the date of mailing, whichever first occurs, to render a complete accounting of the trust estate and to deliver the assets thereof with appropriate instruments of transfer to the successor trustee.

11.3 Co-Trustees. If two or more persons or entities are serving as Trustee of any trust hereunder, one trustee of such trust designated in writing by all trustees of such trust shall have full authority to write checks from such trust estate bank account and to exercise all rights, including voting rights and transfer rights, with respect to shares of stock or securities held in trust. This authority provided for the convenience of Trustee shall relieve third parties, but not Trustee, from liability for actions taken pursuant to it. Each co-trustee shall have one vote, and decisions shall be made by majority vote.

## ARTICLE 12. ABSTRACT OF TRUST

12.1 Any person acting without negligence and in good faith may act in reasonable reliance upon the appointment of and powers of the Trustee upon the certification of a duly licensed attorney at law that the pages attached to the certification showing the Trustee's appointment and powers are true and correct. Any action taken, unless otherwise invalid or unenforceable, shall be binding on the heirs and beneficiaries of the Grantors and of the Trust.

Escrow No.: 01-161126-SE

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Lots 11 and 26, Tract No. 1, "PEAVEY'S ACREAGE, TRACTS NO. 1 & 2, SECTIONS 17, 20, 21, 22 & 28, TOWNSHIP 35 NORTH, RANGE 5 EAST, SKAGIT CO., WASH.," as per plat recorded in Volume 3 of Plats, page 37, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.