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Skagit County Auditor

WHEN RECORDED RETURN TO:

**Land Title and Escrow**

02-1168903-0E

COPY

**DOCUMENT TITLE(S):**  
**TRUST PAGES**

**REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:**

**GRANTOR:**

**EDWARD BRUCE PATROVSKY, SUCCESSOR TRUSTEE OF THE STANLEY AND PHYLLIS  
PATROVSKY AB LIVING TRUST, DATED JULY 28, 1997**

**GRANTEES:**

**EDWARD BRUCE PATROVSKY, SUCCESSOR TRUSTEE**

**ABBREVIATED LEGAL DESCRIPTION:**

**Ptn RR R-O-W, Sec. 23, T 35 N, R 1 E; Ptn Tracts 1 & 2, Plate 7, Secs 14 & 23, T 35 N, R 1 E; Lots**

**TAX PARCEL NUMBER(S):**

**3809-201-008-0003, P58262, 350123-0-002-0405, P31690**

## THE STANLEY AND PHYLLIS PATROVSKY AB LIVING TRUST

## DECLARATION OF TRUST

## I. TRUST NAME

The name of the Trust shall be known as the Stanley and Phyllis Patrovsky AB Living Trust.

## II. TRUST PROPERTY

## (A) Property placed in trust.

Stanley and Phyllis Patrovsky, called the Grantors of Trustees, declare that they have set aside and hold in the Stanley and Phyllis Patrovsky AB Living trust all their interest in the property described in the attached Schedules A,B, and C.

The Trust Property shall be used for the benefit of the Trust Beneficiaries and shall be administered and distributed by the Trustee in accordance with this Declaration of Trust.

## (B) Rights retained by the Grantors.

As long as both grantors are alive, both grantors retain all rights to all income, profits and control of the trust property listed on Schedule A of the Stanley and Phyllis Patrovsky AB Living Trust.

(1) As long as Phyllis is alive, she shall retain all rights to all income, profits and control of her separate property listed on Schedule B of the Stanley and Phyllis AB Living Trust.

(2) As long as Stanley is alive, he shall retain all rights to all income, profits and control of his separate property listed on Schedule B of the Stanley and Phyllis AB Living Trust.

## (C) Additional or After-Acquired Property

Either, or both, may add additional property to the Trust at any time.

## (D) Character of Property placed in Trust.

While both Grantors are alive, property transferred to this Trust shall retain it's original character. If the Trust is revoked, the Trustee shall distribute the Trust property to the Grantors based on the same partnership rights they had before the property was transferred to the Trust.

Specifically,

## (1) Shared Property.

All property listed on Schedule A.

(a) Home at 2716 Oakes Ave. Anacortes, Wa.  
Described property set in the County of Skagit, in the State of Washington.

Lots 7 and 8, Block 201, Northern Addition of Anacortes  
According to Plate therefore recorded in Vol. 2 of Plates ,

3. defined in Section V.

- (G) If the Grantors' principal residence is transferred to the Trust, Grantors have the right to possess and occupy it for life, rent-free and without charge except for taxes, insurance, maintenance and related costs and expenses. This right is intended to give the Grantors a beneficial interest in the property and to ensure that the Grantors, or either of them, do not lose eligibility for a state homestead tax exemption for which either Grantor otherwise qualifies.

#### 111 TRUSTEES

(A) Original Trustees.

The Trustees of the Stanley and Phyllis Patrovsky AB Living Trust and any other trusts or children's sub-trusts created under this Declaration of Trust shall be Stanley and Phyllis Patrovsky. Either Trustee may act for, and represent, the Trust in any transaction.

(B) Trustee on Death or Incapacity of Original Trustee.

Upon the death or incapacity, as certified in writing by a licensed physician of Phyllis or Stanley Patrovsky, the other Spouse shall serve as sole Trustee of this trust and all trusts and any child's sub trust created under this Declaration of Trust.

(C) Trustee's Responsibility.

The Trustee in office shall serve as trustee of this Trust and all Trusts and any child's sub-trust created under this Declaration of Trust.

(D) Terminology.

In this Declaration of Trust, the term "Trustee" includes any successor Trustee or Trustees. The singular "Trustee" also includes the plural.

(E) Successor Trustee

1. Upon the death or incapacity of the surviving spouse or the incapacity of both spouses, the successor Trustee shall be Edward Bruce Patrovsky (son). Any of Successor Trustees has full and independent authority to act for and represent the Trust granted to the Surviving Trustee as set forth in the provisions of this Declaration of Trust.
2. The Trustee of the Declaration of Trust shall have all the discretionary powers necessary and appropriate to administer this Trust, including, but not limited to, the power to sell, mortgage, encumber, pledge, hypothecate, lease, rent or improve and reinvest the Trust property when such action is deemed to be in the interest and furtherance of the Trust interest.

9. (A) If both Grantors should die simultaneously, or under such circumstances as to render it difficult or impossible to determine who predeceased the other, it shall be conclusively presumed that both died the same moment, and neither shall be presumed to have survived the other for purposes of this living trust.

(B) Specified Powers.

The Trustee's powers include but are not limited to:

1. The power to sell Trust property, and to borrow money and to encumber property, specifically including trust real estate, by mortgage, deed of Trust or other method.
2. The power to manage trust real estate as if the trustee were the absolute owner of it, including the power to lease (even if the lease terms may extend beyond the period of any trust, or grant options to lease the property, to make repairs or alterations and to insure against loss.
3. The power to sell or grant options for the sale or exchange of any Trust property, including stocks, bonds, debentures and any other form of security or security amount, at public or private sale for cash or credit.
4. The power to invest Trust property to property of any kind, including, but not limited to, bonds, debentures, notes, mortgages and stocks.
5. The power to receive additional property from any source and add to any Trust created by this Declaration of Trust.
6. The power to employ and pay reasonable fees to accountants, lawyers or investment experts for information or advice relating to
7. The power to deposit and hold Trust funds in both interest bearing and non-interest bearing accounts.
8. The power to deposit funds in bank or other accounts insured by FDIC.
9. The power to enter into electronic fund transfers or safe deposit arrangements with financial institutions.
10. The power to continue any business of either spouse.
11. The power to institute or defend legal actions concerning the Trust or the Grantors affairs.
12. The power to execute any documents necessary to administer any Trust created in this Declaration of Trust.
13. The power to diversify investments, including authority to decide that some or all of the Trust property need not produce income.

## 10. (C) Payment by the Trustee of the Grantor's Debts and Taxes.

## 1. Wife's Debts and Taxes

Phyllis' debts and taxes shall be paid by the Trustee. The Trustee shall use his discretion of how these will be paid.

## 2. Husband's debts and Taxes

Stanley's debts and taxes shall be paid by the Trustee. The Trustee shall use his discretion of how these will be paid.

## X. GENERAL ADMINISTRATIVE PROVISIONS

## (A) Controlling Law.

The validity of the Stanley and Phyllis AB Living Trust and construction of its provisions shall be governed by the laws of Washington State.

## (B) Severability

If any provision of this Declaration is ruled unenforceable, the remaining provisions shall nevertheless remain in effect.

## (C) Amendments

The term "Declaration of Trust" includes any provisions added by valid amendment.

## CERTIFICATION BY GRANTORS

WE CERTIFY THAT WE HAVE READ THIS DECLARATION OF TRUST AND THAT IT CURRENTLY STATES THE TERMS AND CONDITIONS UNDER WHICH THE TRUST PROPERTY IS TO BE HELD, MANAGED AND DISPOSED OF BY THE TRUSTEES AND WE APPROVE THE DECLARATION OF TRUST.

*Grantors specifically affirm that this document is a reaffirmation and confirmation of that certain*

DATED 4 November 2002

Grantor and Trustee Stanley Patrovsky  
Stanley Patrovsky

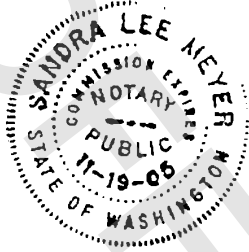
Grantor and Trustee Phyllis Patrovsky  
Phyllis Patrovsky

Witness: James Parnassian

Witness: Alan R. Sanders

*Trust granted originally on 11 August 1997, and that this instrument is executed to assure the full legal effectiveness of the 11 Aug 97 Trust. / SPP*

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of November, 2002.



Sandra Lee Meyer

Print Name: Sandra Lee Meyer

NOTARY PUBLIC in and for the State of

Washington, residing at Sedro-Woolley

My appointment expires 19 NOV 2005