

FORM-EPVLT01

Revocable Living Trust for Married Couple

DECLARATION AND INSTRUMENT OF TRUST

1. TRUST NAME

(1.1) The name of this trust shall be

The Costanzo Family Trust # 1

2. TRUSTORS

(2.1) The Trustors of The Costanzo Family Trust shall be: #1

(2.2) Name Thomas Alessio Costanzo

Address POB #35

Calient, Nevada, 89008

And

(2.3) Name Ruth Leona Costanzo

Address POB # 35

Caliente, Nevada, 89008

3. TRUSTEES

(3.1) The Trustees of The Costanzo Family Trust # 1 shall be:

(3.2) Name Thomas Alessio Costanzo

Address POB # 35

Caliente, Nevada, 89008

And

(3.3) Name Ruth Leona Costanzo

Address POB # 35

Caliente, Nevada, 89008

(3.4) Upon the death of Thomas Alessio Costanzo and the subsequent death of Ruth Leona Costanzo the Successor Trustee shall be:

(3.5) Name Robert Claude Costanzo

Address 28314 Orting Kapowsin Hw

Graham, Washington, 98338

(3.6) If the above named Successor Trustee is unable to serve, or to continue serving, then the Successor Trustee shall be:

(3.7) Name Thomas Albert Costanzo
Address 13108-226 Street East
Graham, Washington, 98338

(3.8) However, if Thomas Albert Costanzo shall die first, followed by the death of , then the Successor Trustee shall be:

(3.9) Name Sharon Ann Sheppard
Address 70-2450 Hawthorne Avenue
Port Coquitlam, Canada

(3.10) If the above named Successor Trustee is unable to serve, or to continue serving, then the Successor Trustee shall be:

(3.11) Name John Claude Costanzo
Address 419 South 325 Place 4T4
Federal Way, Washington, 98008

(3.12) In the event of simultaneous deaths of the Trustors, the Successor Trustees and/or the respective Alternate Trustee(s) shall serve as Co-Trustees and administer the Trust for the benefit of the Beneficiaries.

4. RIGHTS OF TRUSTORS

- (4.1) While both Trustors are alive, each Trustor reserves all rights to revoke this Trust, in writing, without notifying any Beneficiary.
- (4.2) While both Trustors are alive, the Trustors may by joint action amend this Trust without notification to any Beneficiary or Trustee, in the event of physical or mental incapacitation as described in (4.7) and (5.8) then the Sole Trustee shall have all rights to amend this document separately. All amendments to this Trust shall be in writing, upon proper forms, and made a part hereof.
- (4.3) While both Trustors are alive, each Trustor reserves the right to designate or otherwise change the person(s) designated as their respective Beneficiaries without prior notice.
- (4.4) Either Trustor, or both, may include additional or after acquired property to this Trust at any time by listing it on the appropriate schedule.
- (4.5) Until the death of a Trustor, both Trustors retain all rights to all income from the Trust Property.
- (4.6) Upon the death of a Trustor, this Trust becomes irrevocable and may not be modified except as specifically authorized by this document.
- (4.7) If a Trustor, or both Trustors, becomes physically or mentally incapacitated, as certified by a competent attending medical authority, the Successor Trustee shall administer this Trust to the benefit of the Trustor(s). The power and authority granted the Successor Trustee under this paragraph shall be terminated when the Trustor(s) is sufficiently recovered, as certified by a competent attending medical authority, to resume administration of this Trust.

5. RIGHTS AND DUTIES OF TRUSTEES

- (5.1) The term "Trustee" shall apply to any Trustee(s) or Successor Trustee(s).
- (5.2) Trustee's rights and duties shall apply to all Subtrusts of the The Costanzo Family Trust # 1
- (5.3) The Trustee shall have all authority and power to administer this Trust in accordance with the laws of the State of Nevada.
- (5.4) The Trustee's authority and power shall include, but is not limited to the power to buy, sell, pledge, option, mortgage, or otherwise encumber the Trust Property for the sole benefit of the Trustor(s) during their lifetimes.
- (5.5) Upon written and notarized notification the Trustee(s) shall have the right to appoint additional Successor Trustees, to serve in the order nominated, if all Trustees named in Section 3 are unable to serve.
- (5.6) Trustee(s) shall disburse any amount of trust income or principle as requested by Trustor.
- (5.7) No bond shall be required of any Trustee(s).
- (5.8) Upon the death or incapacitating disability as described in (4.7) of one Trustor the Surviving Trustor shall serve as Sole Trustee of this Trust and Trust "A" and Trust "B".
- (5.9) Upon the death of one Trustor, the Trustee shall divide the Trust Property listed in Section 7 of this Trust into two separate Trusts:
 - (5.9a) Trust "A" shall be an irrevocable Trust consisting of all the Trust Property of The Costanzo Family Trust # 1 owned by the Deceased Trustor.
 - (5.9b) All Trust Property in Trust "A" shall forthwith be distributed to the Specific Beneficiaries of the Deceased Trustor as listed in Section 6 of this Trust, except as otherwise provided by this Trust.
 - (5.9c) Trust "B" shall consist of all of the Trust Property of The Costanzo Family Trust # 1 owned by the Surviving Trustor and shall remain revocable until the death of the Surviving Trustor.
 - (5.9d) The Surviving Trustor reserves the power to amend or revoke Trust "B" at any time during his/her lifetime, without notifying any beneficiary.
 - (5.9e) The Surviving Trustor retains all rights to all income from the Trust Property of Trust "B" during his/her lifetime.
 - (5.9f) Upon the death of the Surviving Trustor, Trust "B" shall be irrevocable.
 - (5.9g) Upon the death of the Surviving Trustor all the Trust Property of Trust "B" shall forthwith be distributed to the Specific Beneficiaries of the Surviving Trustor as listed in Section 6 of this Trust, except as otherwise provided by this Trust.
- (5.10) Upon the death of a Trustor, the Trustee shall assume management of this Trust and forthwith distribute the Trust Property of the Deceased Trustor outright to the Beneficiaries in the manner

prescribed by this Trust, except when such beneficiary has not yet attained the age of 21 at the time of distribution, in which case the Trustee shall have the following rights to continue this Trust:

- (5.10a) Trust Properties distributed to any beneficiary under the age of 21 shall be retained in a separate Subtrust of this Trust.
- (5.10b) The Trustee(s) may distribute net income and/or principal of the Subtrust(s) to the benefit of the Beneficiary as the Trustee deems necessary for the Beneficiary's health, support, or education.
- (5.10c) Subtrust income not distributed to the Beneficiary shall be accumulated and reinvested to the principal of that Subtrust.
- (5.10d) Trust Property of each Subtrust shall be distributed and Subtrust shall end when the beneficiary of that Subtrust attains the age of 35, except the Subtrust(s) for:
- (5.10e) Not Applicable which shall end at age _____.
- (5.10f) Not Applicable which shall end at age _____.
- (5.10g) Not Applicable which shall end at age _____.
- (5.10h) In the event the Beneficiary of a Subtrust dies before receiving his/her Trust Property, the Trustee shall give the Trust Property to the Estate of that Beneficiary.
- (5.10i) The interests of Subtrust Beneficiaries shall be free from attachments, bankruptcy, claims of creditors or other legal process.
- (5.10j) The interests of Subtrust Beneficiaries shall not be assigned or transferred.
- (5.11) The Deceased Trustor's debts and death taxes shall be paid by the Trustee from the Trust Property. Such liability shall be proportionate to the value of the Trust Property distributed to the Beneficiaries

6. BENEFICIARIES

- (6.1) Upon the death of Thomas Alessio Costanzo, the Trustee shall distribute the Trust Property owned by Thomas Alessio Costanzo as his share of the Trust Property as described in Section 7, Schedule C and as his separate property as described in Section 7, Schedule A to the following Beneficiaries as provided by this Trust:
- (6.2) Beneficiary: Ruth Leona Costanzo or
- (6.3) Alternate Beneficiary: Robert C and Mabel Costanzo and their heirs and successors
- (6.4) shall be given All items listed in Schedules A, B, and C or all real property Business, Equipment, Inventory and everything else that is my property to give except that property bequest to individual(s) listed in his last will and testament and/or as amended.
- (6.5) Beneficiary: None or
- (6.6) Alternate Beneficiary: None
- (6.7) shall be given None

(6.8) Beneficiary: None _____ or

(6.9) Alternate Beneficiary: None _____

(6.10) shall be given None _____

(6.11) Beneficiary: None _____ or

(6.12) Alternate Beneficiary: None _____

(6.13) shall be given None _____

(6.14) Residuary Beneficiary: or None

(6.15) Alternate Residuary Beneficiary: None

(6.16) In the event a Beneficiary does not survive Thomas Alessio Costanzo then the Trust Property assigned to that Beneficiary shall be assigned and distributed to the person(s) designated as an Alternate Beneficiary to the deceased Beneficiary.

(6.17) All Trust Property not specifically assigned and distributed to the Beneficiaries and/or Alternate Beneficiaries shall be distributed to the Residuary Beneficiary. In the event the Residuary Beneficiary does not survive Thomas A. Costanzo, then the Trust Property assigned to the Residuary Beneficiary shall be assigned and distributed to the Alternate Residuary Beneficiary.

(6.18) The Beneficiary/Beneficiaries can not voluntarily or involuntarily transfer interest in Trust Property to a third party, nor can such interest be attached in any manner.

(6.19) Upon the death of Ruth Leona Costanzo, the Trustee shall distribute the Trust Property owned by as her share of the Trust Property as described in Section 7, Schedule C and as her separate property as described in Section 7, Schedule B to the following Beneficiaries as provided by this Trust:

(6.20) Beneficiary: Thomas Alessio Costanzo _____ or

(6.21) Alternate Beneficiary: Robert C and Mabel Costanzo, or heirs and successor thereafter

(6.22) shall be given the same as listed in item 6 paragraph 6.4 listed before

(6.23) Beneficiary: None _____ or

(6.24) Alternate Beneficiary: None _____

(6.25) shall be given None _____

**TRUST PROPERTY
SCHEDULE "C"**

(7C.1) The Trustors hereby transfer and hold in the Costanzo Family Trust # 1 the following described property:

(7C.2) Trust Property Number one consist of vacant lot (#1), lot #2 with Mobile Trailer and all contents, lot # 3 and building commonly known as the Hide-a-way Club, and Lot # 4 with resident all of which all shown on attached plat map located in the NE Corner fronted to the north by Main St and to the East by US Hy 93 or Spring St and encircled by the numbers 7 and 8 on large lot subdivision identified by the number 077 in the Township of Caliente, Nevada, County of Lincoln, State of Nevada.

(7C.3) Trust property Number Two consist of all equipment, inventory, supplies business name of going concerns commonly knowns as the Hide-a-way Club including fixtures, slots, walk-in, and furniture

(7C.4) Trust property number three consist of two vechicles as follows:

Cadillac Yr: Model: Color: Reg #:
Camero Yr: Model: Color: Reg #:

(7C.5) Trust property number four consist of all cash, coins, records, diskettes, tapes, pictures, contents of all checking/savings, accounts, any safety deposit boxes, all furniture, appliances, cookware, tools, hardware, decor bedding, drapes, figurines, knit/coquette itesm, etc. (See Attach itemized list herewith.

(7C.6) Trust property number five consist of all burial plots listed as follows:

(7C.7) Trust Property shall include any other Property which may be acquired or accumulated pursuant to the administration and execution of this Trust.

(7C.8) All Trust Property listed in the above Trust Property Schedule "C" is community property the Trustors, and shall retain that character upon transfer to this Trust. Any powers reserved to the Trustors to alter, amend, modify, or revoke this Trust, with regard to Trust Property Schedule "C" is reserved by the Trustors during their shared life time as managers of the community property.

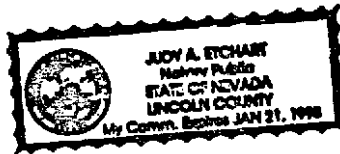
If the Trust is revoked, any property listed in Trust Property Schedule "C" shall be returned to the Trustors as their community property and not as sepearate property.

8. GENERAL PROVISIONS

- (8.1) This Declaration of Trust and the construction of its beneficial provisions shall be construed and enforced in accordance with the Laws of the State of NEVADA.
- (8.2) If any of the separate provisions of this Declaration of Trust is held to be invalid or unenforceable, all of the remaining provisions shall be undisturbed and shall be carried into effect.
- (8.3) We certify that this Declaration of Trust accurately states the terms and conditions of the The Costanzo Family Trust, and We hereby approve this Declaration of Trust.
- (8.4) Trustor: X Ruth Costanzo
- (8.5) Trustor: Thomas A. Costanzo
- (8.6) Dated: _____
- (8.7) State of _____
- (8.8) County of _____
- (8.9) On this 26th day of June, 1995, before me, the undersigned Notary Public for the State of Nevada, personally appeared before me Ruth Costanzo and Thomas A. Costanzo, known to me to be the individuals herein described as the Trustors of the Trust created by the above instrument, and acknowledge that it was executed as his/her free act.

IN WITNESS HEREOF, I have set my hand and affixed my official seal as of this date.

Judy A. Etchart
 Notary Public for the state of Nevada
 My commission expires: 1-31-98



NOTICE OF TRUST

(Inter Vivos)

To: Lincoln County Superior Court
Name of Court

Y
Address

Pioche, Nevada, 89008
City/State/Zip Code

PLEASE TAKE NOTICE:

That pursuant to the applicable provisions of the Uniform Probate Code, Notice is hereby given that an INTER VIVOS TRUST, known as (and hereafter referred to as) The Costanzo Family Trust # 1 was established the day of , 19 , in the jurisdiction of this Court, by and between the Trustor(s) and Trustee(s) below named:

TRUSTOR(S):	THOMAS ALESSIO COSTANZO	(2)	RUTH LEONA COSTANZO
(1)	<small>NAME</small>		<small>NAME</small>
	<u>POB # 35</u>		<u>POB # 35</u>
	<small>ADDRESS</small>		<small>ADDRESS</small>
	<u>Caliente, Nevada, 89008</u>		<u>Caliente, Nevada, 89008</u>
	<small>CITY/STATE/ZIP CODE</small>		<small>CITY/STATE/ZIP CODE</small>

TRUSTEE(S):	THOMAS ALESSIO COSTANZO	(2)	RUTH LEONA COSTANZO
(1)	<small>NAME</small>		<small>NAME</small>
	<u>POB # 35</u>		<u>POB # 35</u>
	<small>ADDRESS</small>		<small>ADDRESS</small>
	<u>Caliente, Nevada 89008</u>		<u>Caliente, Nevada 89008</u>
	<small>CITY/STATE/ZIP CODE</small>		<small>CITY/STATE/ZIP CODE</small>

Dated this 26th day of June, 1995

Ruth Costanzo
Trustor

Thomas Costanzo
Co-Trustor

ACKNOWLEDGMENT

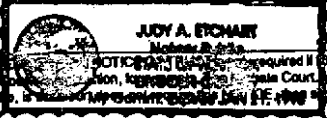
STATE OF NEVADA }
 COUNTY OF LINCOLN } ss.

On this 26th day of June, 1995, before me, the undersigned Notary Public, personally appeared Ruth Leona Costanzo and Thomas Costanzo to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged that he (she) (they) executed the same as his (her) (their) free act and deed.

My Commission expires: 1-21-98

Judy A. Eckhart
Notary Public

PLEASE TAKE NOTICE THAT THIS NOTICE OF TRUST IS REQUIRED IF THE STATE WHERE YOU PLAN TO ESTABLISH THE LIVING TRUST HAS PROVISIONS FOR FILING THIS NOTICE WITH A COURT OF PROBATE OR CHANCERY. MANY STATES DO NOT HAVE PROVISIONS FOR FILING THIS NOTICE (YOU MUST CALL THE COURT AND ASK) THEREFORE, IF YOU ARE FILING THIS NOTICE IN A STATE THAT DOES NOT REQUIRE FILING WITH A COURT, YOU SHOULD DISREGARD IT.



TRANSFER TO TRUST

To: Lincoln County Superior Court
Attn Probate Clerk
Pioche, Nevada

Know all men by these presents:

That I(we) Thomas Alessio and Ruth Leona Costanzo the undersigned Transferor(s)/Assignor(s), who is(are) the Trustor(s) of the specific Declaration of Trust known as and hereinafter referred as The Costanzo Family Trust # 1 dated 19 do hereby assign, transfer, or otherwise deliver in Trust unto Thomas Alessio and Ruth Leona Costanzo as Trustee(s) under said Trust all of my(our) rights, title, and interest in the following said property: listed in Trust Property Schedules "A", "B" AND "C"

Said property shall hereafter be designated, entitled, owned, and identified as follows:
The Costanzo Family Trust # 1

In Witness Whereof, I(we) hereby sign these presents this 26th day of June, 1995.

Ruth Costanzo
(Transferor/Assignor/Trustor)

Thomas A. Costanzo
(Transferor/Assignor/Trustor)

State of Nevada

County of Lincoln

No. 103667

FILED AND RECORDED AT REQUEST OF
Ruth Leona Costanzo

June 26, 1995

AT 10 MINUTES PAST 10 O'CLOCK

A.M. IN BOOK 114 OF OFFICIAL

RECORDS, PAGE 351 LINCOLN

COUNTY, NEVADA.

Yuriko Setzer

By Judith Boucher, Deputy

