

Official Record

Recording requested By
MARIA MCGINLEY HARTMAN

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$44.00 Page 1 of 6
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Book- 296 Page- 0699



APN _____

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MARIA MCGINLEY HARTMAN Lifetime Trust - First Amendment
Title of Document

Affirmation Statement

I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of any person or persons. (Per NRS 239B.030)

_____ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of a person or persons as required by law: _____
(State specific law)

Maria McGinley Hartman
Signature Title

MARIA MCGINLEY HARTMAN
Print

7/13/2015
Date

Grantees address and mail tax statement:

P.O. Box 153
Caliente, NV 89008



MARIA MCGINLEY HARTMENT LIFETIME TRUST
dated July 12, 2007
FIRST AMENDMENT

This Amendment is being made on this, the 30th day of December, 2014 by **MARIA MCGINLEY HARTMAN** of Lincoln County, State of Nevada as the Trustor of the **MARIA MCGINLEY HARTMAN'S LIFETIME TRUST** dated July 12, 2007.

The Trustor does hereby amend the trust above as follows:

REVOCABLE LIVING TRUST

**DECLARATION OF TRUST
ARTICLE ONE**

NAME OF TRUST AND APPOINTMENTS

- C. SUCCESSOR TRUSTEE:** Page 2 – I designate **THOMAS AARON WILLERS** as the successor trustee of the trust.
- D. ALTERNATE SUCCESSOR TRUSTEE:**, Page 2 – If **THOMAS AARON WILLERS** is unable or unwilling to act as successor trustee, I constitute and appoint **JULIE ANN BECKER** as successor trustee to serve with all rights and responsibilities given to the original successor trustee. If **JULIE ANN BECKER** is unable or unwilling to act as successor trustee, I constitute and appoint **TERENCE KEVIN MCGINLEY** as alternate trustee to serve with all rights and responsibilities given to the original successor trustee.

(In order for the executor to have a clear understanding of this amended section, I, Maria McGinley Hartman, have rewritten the entire section as follows):

**ARTICLE TWO
PLAN OF DISTRIBUTION**

A. PLAN OF DISTRIBUTION UPON MY DEATH – page 3

Upon my death, my successor trustee(s) shall take charge of the assets then remaining in this trust and make distribution thereof according to the following plan of distribution:

- 1. Pay all of my legally enforceable debts, including the expenses of my last illness and funeral expenses, current bills and any and all other expenses incurred in closing out this trust and making distribution of assets thereof.
- 2. My spouse is William Alan Hartman.
- 3. My children are Thomas Aaron Willers and Lisa Ann Willers Rocha.
- 4. Page 4 - My siblings are John Patrick McGinley, Frank Michael McGinley, Julie Ann Becker, and Terrence Kevin McGinley.

**First Amendment (cont)****(2)**

5. I give my real property (real estate) at 620 Dixon Street, Caliente, NV 89008 to my son, Thomas Aaron Willers (if I still own the property – for sale eff. November 2014). I will also give my real property (real estate) at 3628 N. Tomsik St., Las Vegas, Nevada 89129-6830 to Thomas Aaron Willers. He will also receive the entire contents of these homes, garages, and sheds located at the above mentioned addresses.
6. I give the contents of my bank accounts and retirement fund(s) to my son, Thomas Aaron Willers. He can utilize these funds to settle my debts and keep any remaining funds to utilize as he wishes.
7. I give my horses and all horse equipment including horse tack, saddles and the CM Horse trailer to Lynn Wood, Caliente, NV (775-962-1907). The 1993 horse trailer will go to William Alan Hartman.
8. I leave my 1987 Heritage Softail Harley Davidson Motorcycle to my son, Thomas Aaron Willers.
9. Any remaining jewelry I may own will go to my son, Thomas Aaron Willers, including the safe they are kept in.
10. Page 5 - I leave all my remaining cars and van to my son, Thomas Aaron Willers. The 2007 Honda ATV will go to William Alan Hartman.
11. I leave my beloved 1972 Harley Davidson Shovelhead (Scarlet Harlet) to my sister, Julie Ann Becker.
12. Page 6 - The net proceeds of this trust remaining after the preceding provisions are complied with shall be distributed to **THOMAS AARON WILLERS**.
13. Page 7, (f): In the event that **THOMAS AARON WILLERS** is unable, unwilling, or refuses or ceases to act as my testamentary trustee for any reason whatsoever, then my sister **JULIE ANN BECKER** shall act as my testamentary trustee. If **JULIE ANN BECKER** is unable, unwilling, or refuses or ceases to act as my testamentary trustee for any reason whatsoever, then my brother, **TERENCE KEVIN MCGINLEY** shall act as my testamentary trustee.

B. DISINHERITANCE: (Page 7)

I have intentionally and with full knowledge omitted to provide for all of my heirs who are not specifically mentioned in the terms of this trust agreement. I love my daughter Lisa Ann Willers Rocha very much, but she has chosen to have absolutely no contact with me. Therefore, she has been excluded from this document. If my son chooses to share with her, that is his right.

C. IN TERROREM: Remains the same.**D. SURVIVORSHIP CLAUSE:** Remains the same.

First Amendment (cont)

(3)

CERTIFICATE OF TRUSTEE AUTHORITY AND POWER

1. **ARTICLE ONE PROVIDES**, Page 2, Section C – **SUCCESSOR TRUSTEE**: I designate **THOMAS AARON WILLERS** as the successor trustee of this trust.
2. **ARTICLE ONE PROVIDES**, Page 2, Section D – **ALTERNATE SUCCESSOR TRUSTEE**: If **THOMAS AARON WILLERS** is unable or unwilling to act as successor trustee, I constitute and appoint **JULIE ANN BECKER** as successor trustee to serve with all rights and responsibilities given to the original successor trustee. If **JULIE ANN BECKER** is unable or unwilling to act as successor trustee, I constitute and appoint **TERRENCE KEVIN MCGINLEY** as successor trustee to serve with all rights and responsibilities given to the original successor trustee.

CERTIFICATE OF TRUST

4. The name and address of each trustee empowered to act under the Trust Agreement at the time of the execution of this Certificate of Trust are:

Primary: **THOMAS AARON WILLERS**, 29770 Grand Canyon Rd., Canyon Country,
California 91387 661-360-8942

Successor: **JULIE ANN BECKER**, 8586 Thoroughbred St., Alta Loma CA 91701
(909) 948-5973

Alternate Successor: **TERRENCE KEVIN MCGINLEY**
77 Howitt Rd., Lyman, Maine 04002 207-490-5872

LAST WILL AND TESTAMENT

1. Page 1, **SECOND**: I give, devise and bequeath all of the rest, residue and remainder of my estate and property, of whatever kind and wherever situated, owned by me at the time of my death to the trustee(s) of the **MARIA MCGINLEY HARTMAN LIFETIME TRUST DATED JULY 12, 2007** to be added to the assets held in trust and administered by its terms, including any amendments made during my lifetime. If for any reason such distribution of the residue of my estate is ineffective, then I give such residue of my estate to **THOMAS AARON WILLERS**, as trustee(s), to be held in a testamentary trust in accordance with the provisions of the **MARIA MCGINLEY HARTMAN LIFETIME TRUST DATED JULY 12, 2007**, including any amendments thereto made during my lifetime.
2. Page 2, **THIRD**: I constitute and appoint **THOMAS AARON WILLERS**, my personal representative, to execute this my Last Will and Testament. I authorize and empower my personal representative to sell, transfer and convey any and all of the property of my estate, real and personal, and to execute, acknowledge and deliver good and sufficient transfer and conveyances thereof without bond.



First Amendment (cont)

(4)

DURABLE POWER OF ATTORNEY

POWER OF ATTORNEY TO BECOME EFFECTIVE ONLY ON INCAPACITY OF PRINCIPAL

Page 2, (c) Julie Ann Becker

Page 2, (d) Thomas Aaron Willers, if Julie Ann Becker is unavailable or unwilling.

Page 2 (e) Terrence Kevin McGinley, if Thomas Aaron Willers is unavailable or unwilling.

Page 3 **TO WHOM IT MAY CONCERN: MARIA MCGINLEY HARTMAN** (the principal), presently a resident of Lincoln County, Nevada, hereby appoints **JULIE ANN BECKER** my attorney-in-fact, for the principal and in the principals name, place, and stead on the principals **incapacity**.

I constitute and appoint **JULIE ANN BECKER** my attorney-in-fact, under this, my Durable Power of Attorney. I authorize and empower my attorney-in-fact to sell, transfer and convey any and all of the property of my estate, real and personal, and to execute, acknowledge and deliver good and sufficient transfers and conveyances thereof without bond.

Page 7, #25, (c) Julie Ann Becker

Page 7, #25 (d) Thomas Aaron Willers, if Julie Ann Becker is unavailable or unwilling.

Page 7, #25, (e) Terrence Kevin McGinley, if Thomas Aaron Willers is unavailable or unwilling.

Page 8, #26. If a conservator ship of the principals person or estate, or both is deemed necessary, the principal hereby nominates **JULIE ANN BECKER** as conservator of the principals person and estate. If **JULIE ANN BECKER** is unwilling or unable to serve for any reason, the principal hereby nominates as such conservator, **THOMAS AARON WILLERS** as conservator of the principals person and estate. If **THOMAS AARON WILLERS** is unwilling or unable to serve for any reason, the principal hereby nominates as such conservator, **TERRENCE KEVIN MCGINLEY** as conservator of the principals person and estate.

LIVING WILL/DURABLE POWER OF ATTORNEY FOR HEALTH CARE DECISIONS FOR MARIA MCGINLEY HARTMAN

Page 2 (#1) I, **MARIA MCGINLEY HARTMAN**, do hereby designate and appoint, **WILLIAM ALAN HARTMAN**, 3133 Barbara St., HC 34, Box 22, Caliente, NV 89008 (775-726-3879/962-3110) as my attorney-in-fact to make health care decisions for me as authorized in this document. **HOWEVER**, if **WILLIAM ALAN HARTMAN** is no longer my spouse, **JULIE ANN BECKER** will be my attorney-in-fact to make health care decisions for me as authorized in this document.

Page 3 (#6) **STATEMENT OF DESIRES**

(If the statement reflects my desires, initial the box next to the statement)



First Amendment (cont)

(5)

1. I desire that my life be prolonged to the greatest extent possible, without regard to my condition, the chances I have for recovery or long-term survival, or the cost of the procedures....
[]
2. If I am in a coma which my doctors have reasonably concluded is irreversible, I desire that life-sustaining or prolonging treatments not be used.[*mt*]
3. If I have an incurable or terminal condition or illness and no reasonable hope of long-term recovery or survival, I desire that life-sustaining or prolonging treatments not be used....[*mt*]
4. Withholding or withdrawal of artificial nutrition and hydration may result in death by starvation or dehydration. I want to receive or continue receiving artificial nutrition and hydration by way of the gastrointestinal tract after all other treatment is withheld.
5. I do not desire treatment to be provided and/or continued if the burdens of the treatment outweigh the expected benefits. My attorney-in-fact is to consider the relief of suffering, the preservation or restoration of functioning, and the quality as well as the extent of the possible extension of my life.....[*mt*]
6. I don't want to suffer. If I have pain, or you suspect I have pain, please relieve it....[*mt*] I

DESIGNATION OF ALTERNATE ATTORNEY-IN-FACT, Page 4, #7

- A. If **WILLIAM ALAN HARTMAN** is no longer my spouse, my designated attorney-in-fact is **JULIE ANN BECKER**. First alternative Attorney-in-fact is **THOMAS AARON WILLERS**.
- B. Second Alternative attorney-in-fact is **TERRENCE KEVIN MCGINLEY**.

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of Nevada
County of Lincoln

On this 30th day of December, in the year 2014, before me Crystal Budreau
(Name of notary public) personally appeared **MARIA MCGINLEY HARTMAN**, personally known to me (or proved to me with satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that she executed it. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to the Amendment to this TRUST this 30th day of December 2014. *Maria McGinley Hartman*

Crystal Budreau (Seal)
Notary Public Signature

My commission expires Mar. 20, 2015



Witness *Cathi Jennille*

Witness _____