14201851 B: 11470 P: 3194 Total Pages: 5
02/06/2024 02:27 PM By: zjorgensen Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: FABIAN & CLENDENIN, P.C. DBA FABIAN VANCOTT
95 S. STATE STREET, STE. 2300SALT LAKE CITY, UT 84111

COURTESY RECORDING: This document is being recorded solely as a courtesy and an accommodation to the parties named herein.

WHEN RECORDED, MAIL TAX NOTICES TO:

Marianne Bess, successor Trustee The Robert L. Schmidt Living Trust 330 North Middle Oak Lane Salt Lake City, UT 84108

PARCEL NO. 10-32-327-003-0000

AFFIDAVIT OF DEATH AND ACCEPTANCE OF SUCCESSOR TRUSTEE AND CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY

MARIANNE BESS, the affiant herein, being first duly sworn, states and represents as follows:

- 1. That MARIANNE BESS resides in Salt Lake County, State of Utah, that she is over the age of eighteen (18) years and has personal knowledge of the matters set forth herein.
 - 2. That MARIANNE BESS is the surviving spouse of ROBERT L. SCHMIDT.
- 3. On October 12, 2011, ROBERT L. SCHMIDT, as Trustor, and as Trustee, executed the ROBERT L. SCHMIDT LIVING TRUST, u/t/a/d October 2, 2013, amended October 17, 2023 (the "**Trust**"). The undersigned hereby certifies the Trust is in full force and effect.
- 4. ROBERT L. SCHMIDT died on October 25, 2023. A true and correct certified copy of his death certificate is attached hereto as **Exhibit "A"** and by this reference incorporated herein. The decedent named ROBERT LANE SCHMIDT in the attached death certificate is one and the same as the ROBERT L. SCHMIDT who executed the Trust.
- 5. Pursuant to the Trust, section 3.2, upon ROBERT L. SCHMIDT's death, then MARIANNE BESS shall serve as successor Trustee of the Trust.

- 6. MARIANNE BESS hereby accepts the nomination and appointment to serve as successor Trustee of the Trust and agrees to perform the duties of Successor Trustee as set forth in the Trust Agreement.
- 7. The assets of the Trust include, among other things, the following described real property located in Salt Lake County, State of Utah, with a street address of 330 North Middle Oak Lane, Salt Lake City, UT 84108, more particularly described as follows:

LOT 15, CONTAINED WITHIN EMIGRATION OAKS PHASE 1A, A PLANNED UNIT DEVELOPMENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

(the "Property").

- 8. As a result of the death of ROBERT L. SCHMIDT, and the acceptance of the undersigned, MARIANNE BESS, as the successor Trustee of the Trust, title to the Propety is now vested in the name of: MARIANNE BESS, as successor Trustee of the Trust.
- 9. The recording of this "Affidavit of Death and Acceptance of Successor Trustee and Certificate of Trust Existence and Authority" in the Office of the Recorder of Salt Lake County, State of Utah, shall be deemed effective to show record title to the Deceased's Property as Marianne Bess, as successor Trustee of the ROBERT L. SCHMIDT LIVING TRUST, u/t/a/d October 2, 2013, as amended, and no one else.
- 10. As successor Trustee, the undersigned has all of the powers of a trustee as set forth in the Trust Agreement, including but not limited to, the power to own, sell, lease, and manage said Property.

[THE REST OF THIS PAGE IS LEFT INTENTIONALLY BLANK.]

IN WITNESS WHEREOF, the undersigned has executed this "Affidavit of Death and Acceptance of Successor Trustee and Certificate of Trust Existence and Authority".

DATED this ____ day of February, 2024.

Marianne Bess

STATE OF UTAH) : ss. COUNTY OF SALT LAKE)

On the _____ day of February, 2024, before me, the undersigned, a Notary Public in and for the State of Utah, personally appeared MARIANNE BESS known to me or proved on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument, who duly acknowledged to me that he/she executed the same for its stated purpose.

JENNIFER E DECKER

Jenny See Seelen

Notary Public State of Utah My Commission Expires on: April 19, 2025 Comm. Number: 717321

Exhibit "A"

Death Certificate

OREGON HEALTH AUTHORITY

		CERTIFICATE OF	DEATH	alik - Hit a s	STATE FILE NUMBER
Legal Name First Robert	Middle Lane	Last Schmidt		Suffix	Death Date October 25, 2023
sex Male	Age 70 years	Social Security Number	281-50-3093	County of Dea Multnom	th ah
Birthdate November 17, 1952	Birthplace Akron	n, Ohio			ecedent Ever in rmed Forces? No
Residence: 330 N Middle Oak Lan			City/Town Salt Lake (City	
Residence County Salt Lake	1000 100 000 000 000 000 000 000 000 00	te ar Foreign Cou ntry Utah	Zip Code + 4 84108		Inside City Limits? Yes
Marital Status at Time of Death Married	Spo	ouse's Name Prio r to First Marri	Marianne B		
Father's Name Robert Schmidt	1 A1	** ***********************************	lother's Name Prior to Noel McLane		
Informant's Name Marianne Bess Place of Death	Not Avail	mber Relationship to De lable Spouse	cedent Mailing Addr 330 N M	ess Iiddle Oak Lar	ne, Salt Lake City, UT 841
Hospice Facility Location of Death		Hopewell House		love	
6171 SW Capitol High		City/Town or Location Portland	OI Deam	State Oregon	Zip Code + 4 97239
Method of Disposition Cremation		emation Center		Location (City/To Tualatin, (own and State) Dregon
Name and Complete Address of Fu Crown Cremation Serv	rices - Tualatin	8970 SW Tua	alatin-Sherwoo	d Road, Tuala	atin, Oregon 97062
Date of Disposition TBD	Funeral Director's	Signature Bruce D. Fuller		Electronically OR Lic Signed	ense Number FS-0496
Registrar's Signature ▶ <i>∫ℓ</i>	ennifer A. Woodu	vard	Date Received October 31, 20		lle Number
Amendment					
Vas case referred to Medical Exam	niner? Autopsy	? Were autopsy find	dings available to comp	elete the cause of de	ath? Time of Death
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DATE ISSUED:

I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORDS FACTS ON FILE IN THE OREGON CENTER FOR HEALTH STATISTICS.

November 03, 2023

THIS COPY IS NOT VALID WITHOUT INTAGLIO STATE SEAL AND BORDER.

JENNIFER A. WOODWARD, Ph.D. STATE REGISTRAR



(01/06)

45-2CC

NANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE