

Entry 2023003990  
Book 1829 Pages 755-763 \$40.00  
03-Aug-23 12:04  
BRENDA MCDONALD  
RECORDER, UINTAH COUNTY, UTAH  
SNOW, CHRISTENSEN & MARTINEAU  
10 EXCHANGE PLACE  
SALT LAKE CITY, UT 84111  
Rec By: Chery Bolton, Deputy Recorder  
Electronic Recording

Ent 2023003990  
Book 1829 Pg 755

## AFFIDAVIT OF SUCCESSOR TRUSTEE

Foston Chivers, being first duly sworn on oath deposes as follows:

Darris J. Chivers, was the original Trustee of The Darris J. Chivers Living Trust established by declaration of trust dated June 28, 2023, being that certain unrecorded trust created on the 28th day of June 2023. The undersigned is personally familiar with the matters set forth therein and in the Trust Documents and if called to testify could competently testify with respect to such matter.

The original named Trustee Darris J. Chivers, referred to in the attached death certificate, a copy of which is attached hereto and referenced as Exhibit "A", is one and the same as Darris J. Chivers, and is the original Trustee of The Darris J. Chivers Living Trust established by declaration of trust dated June 28, 2023, being that certain unrecorded trust created on the 28th day of June 2023, and that as Trustee for said Trust was the owner of a certain real property described in that certain Quit Claim Deed filed in the Office of The Uintah County Recorder, as Entry Number 2023003477, in Book 1827 at Page 154.

Pursuant to the terms and provisions of the above identified Trust, upon the death of Darris J. Chivers, the original Trustee, Foston Chivers shall serve as Trustee as is referenced in The Darris J. Chivers Living Trust established by declaration of trust dated June 28, 2023, being that certain unrecorded trust created on the 28th day of June 2023, a portion of which is attached hereto and referenced as Exhibit "B".


At this time, the before mentioned Trust is the owner of real property which is described in the attached Exhibit "C".

The undersigned certifies and warrants under penalty of perjury that the terms of said Trust Agreement provided in part, that in the event of death or inability to function of the Trustee as mentioned herein, that the full and complete duties of the original Trustee would pass and merge with the duties of the Appointed Successor Trustee and as such related to the real property herein described. Said powers include, but are not limited to the sale, conveyance, leasing, or encumbrance of the real property which is referred to and described herein. The undersigned does hereby acknowledge the same and accept the obligations and responsibilities outlined in said Trust Agreement.

The Successor Trustees give constructive notice that said appointment has been accepted

Third parties may rely upon the representations of this certificate and may rely on copies of this certificate.

Dated: August 3, 2023

  
Foston Chivers

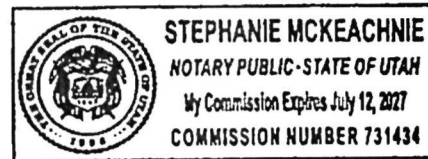
STATE OF UTAH                    )  
COUNTY OF WINTAH            )

On August , 2023 before me, Stephanie McKeachnie, a Notary Public, personally appeared Foston Chivers who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Stephanie McKeachnie



# EXHIBIT "A"

STATE OF UTAH  
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

State File Number: 2023011640

Darris J Chivers

Ent 2023003990  
Book 1829 Pg 758

DECEDENT INFORMATION

Date of Death:	July 15, 2023	Time of Death:	22:29
City of Death:	Vernal	County of Death:	Uintah
Age:	85	Date of Birth:	August 3, 1937
Place of Birth:	Vernal, Utah	Sex:	Male
Armed Services:	Yes	Marital Status:	Widowed
Spouse's Name:		Usual Occupation:	Computer Tech
Industry/Business:	Owner	Education:	High School or GED
Residence:	Vernal, Utah	Father's Name:	Marvin John Chivers
Mother's Name:	Leora Merele Winward	Facility Type:	Home
Facility or Address:	4601 South 1500 East		

INFORMANT INFORMATION

Name:	Foston Chivers	Relationship:	Nephew
Mailing Address:	2100 South 1000 West, Vernal, Utah 84078		

DISPOSITION INFORMATION

Method of Disposition:	Burial
Place of Disposition:	Vernal Memorial Park, Vernal, Utah
Date of Disposition:	July 21, 2023

FUNERAL HOME INFORMATION

Funeral Home:	Thomson - Blackburn Vernal Mortuary
Address:	15 East 100 North, Vernal, Utah 84078
Funeral Director:	Mitchell L Blackburn

MEDICAL CERTIFICATION

Certifying Physician:	Kirk J Woodward MD, Basin Clinic, 379 North 500 West #1A, Vernal, Utah 84078
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CAUSE OF DEATH

Sepsis  
Tobacco Use: Did not Contribute  
Medical Examiner Contacted: No    Autopsy Performed: No    Manner of Death: Natural

Date Registered: July 17, 2023  
Date Issued: July 31, 2023

AMENDMENT HISTORY


07/28/2023 Decedent Middle Name from John to J

This is an exact reproduction of the facts registered in the Utah State Office of Vital Records and Statistics.  
Security features of this official document include: Intaglio Border, V & R images in-top cycloids, and intaglio microtext.  
This document displays the date, seal and signature of the Utah State Registrar of Vital Record and Statistics.

  
Linda S. Winger, MSW, LCSW  
State Registrar



\* 0 6 6 9 4 4 9 4 7 \*

  
Kirk Bengt  
Director/Health Officer  
TriCounty Health Department





## STATE OF UTAH - DEPARTMENT OF HEALTH - OFFICE OF VITAL RECORDS AND STATISTICS

### AFFIDAVIT TO AMEND A RECORD

Corrections to a vital record may be made by affidavit but an item on a birth record may be corrected by affidavit only once. A court order is required for gender or subsequent changes. This form is not used with a court order. A court order is necessary to make any corrections to a Delayed Birth Certificate or Death Certificate. This affidavit cannot be used to correct medical information. Many changes, including marital status, require more information; please visit our website or contact our office. Please return any copies of the certificate with this completed affidavit and all supporting documentation. If corrected certificates are reissued within 90 days of issuance, the new certificate fee will be waived but affidavit fees may still apply. This affidavit may be mailed with the correct fees, proof of ID and application for a new certificate.

**Mailing Address:** Office of Vital Records and Statistics PO Box 141012 Salt Lake City, UT 84114-1012  
**Physical Address:** Office of Vital Records and Statistics 288 North 1460 West Salt Lake City, UT 84116  
**Contact Info:** <https://VitalRecords.utah.gov> 801-538-6105 vrequest@utah.gov



**Affidavit Instructions:** Please print or type. Items 1-6: Enter the facts as reported on the current vital record. Item 7: Enter the item number from items 1-6 that will be changed, if applicable. Item 8a: Enter the information as stated on the original record. Item 8b: Enter the correct information as it should be stated. Item 9: Enter the reason the change is necessary. Item 10: Enter the proofs used to support the change. The proofs must match the asserted fact(s) exactly. Proofs must be submitted with the affidavit. Items 11-22: Enter witness information.

**Witnesses for Birth Certificate:** If the person listed on the record is under 18 years of age, both parents of record MUST sign the affidavit. If only one parent is listed, the second witness MUST be an immediate family member of the listed parent. If the person listed on the record is 18 years of age or older, he/she MUST sign as one of the witnesses. The second witness MUST be their immediate family member.

**Witnesses for Death Certificate:** The informant must sign as a witness along with an immediate member of the decedent's family. If adding a spouse, the spouse must sign as a witness. If no immediate family, a person who is knowledgeable of the facts may sign.

[ ] BIRTH      [ ] DEATH      [ ] STILLBIRTH      STATE FILE NUMBER: \_\_\_\_\_

INFORMATION AS REPORTED ON RECORD	1a. FIRST NAME		1b. MIDDLE NAME		1c. LAST NAME	
	2. SEX	3. DATE OF EVENT		4. PLACE OF OCCURRENCE (City and County)		
	5. NAME OF PARENT 1 (Maiden name if applicable)			6. NAME OF PARENT 2 (Maiden name if applicable)		
STATEMENT OF AMENDMENTS	7. ITEM NO.	8a. FACTS EXACTLY AS ON ORIGINAL RECORD			8b. CORRECT INFORMATION	
WHY IS CHANGE NEEDED?	9. _____					
DOCUMENTS USED	10. _____					
OATH OF FIRST WITNESS (MUST BE 18 OR OLDER)	I hereby certify under penalty of perjury, that I have personal knowledge of the above facts and that the information given is true and correct.				Subscribed to and Sworn to before me this ____ day of ____ 20__.	
	11a. SIGNATURE OF WITNESS (Must sign in front of Notary)			11b. PRINTED NAME OF WITNESS		
	12. DATE SIGNED		13. AGE OF WITNESS	14. DAYTIME TELEPHONE	15. RELATIONSHIP TO 1a.	
	16. ADDRESS OF WITNESS					
OATH OF SECOND WITNESS (MUST BE 18 OR OLDER)	I hereby certify under penalty of perjury, that I have personal knowledge of the above facts and that the information given is true and correct.				Subscribed to and Sworn to before me this ____ day of ____ 20__.	
	17a. SIGNATURE OF WITNESS (Must sign in front of Notary)			17b. PRINTED NAME OF WITNESS		
	18. DATE SIGNED		19. AGE OF WITNESS	20. DAYTIME TELEPHONE	21. RELATIONSHIP TO 1a.	
	22. ADDRESS OF WITNESS					

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EXHIBIT "B"

## THE DARRIS J CHIVERS CHIVERS LIVING TRUST

THIS TRUST AGREEMENT is entered into by DARRIS J CHIVERS, as Trustor, and DARRIS J CHIVERS, as Trustee. For all purposes hereunder, the words "I," "me," "my," "mine," and similar pronouns, shall refer to Trustor DARRIS J CHIVERS and shall be construed as the possessive when the context would so indicate.

### ARTICLE I

#### RECITALS AND CONVEYANCE

WHEREAS, I, DARRIS J CHIVERS, desire to establish a Trust of which, during my lifetime, I am the sole life beneficiary and the exclusive recipient of the economic benefits;

WHEREAS, this Trust shall be initially funded with the sum of TEN DOLLARS (\$10.00) in cash; such sum and any assets later added to the Trust shall be known as the "Trust Estate" and shall be held, administered and distributed as provided in this document and any subsequent amendments to this document;

NOW, THEREFORE, the Trustee acknowledges receipt of the Trust Estate and shall hold the same in Trust under the following terms, conditions, and provisions:

### ARTICLE II

#### DECLARATIONS

**2.A. Name.** This Trust shall be known as THE DARRIS J CHIVERS CHIVERS LIVING TRUST.

**2.B. Family.** I am an unmarried man. I have four children now living; namely, TANNA LEE CHIVERS WHITE, SHELLY DAY KAYCHIVERS, DOUGLAS RAY CHIVERS and SAMUEL JOHN CHIVERS.

Any child or children of mine born or adopted after the date of this Trust shall be treated as though such child or children was/were specifically named in this Paragraph 2.B.

I have intentionally, and not as a result of any mistake or inadvertence, omitted in this Trust to provide for any other child of mine and/or the issue of such child, if any and however defined by law, presently living.

**2.C. Successor Trustees.** If I should cease to act as the Trustee for any reason (including either a court or physician declared incapacity as described in Paragraph 2.E.), I shall be succeeded by My Nephew FOSTON CHIVERS, Vernal, UT, as the successor Trustee. If said successor Trustee fails to qualify or ceases to act, my nephew DEE JAY CHIVERS, Vernal, UY, shall act as the alternate successor Trustee. If that successor Trustee fails to qualify or ceases to act, my niece SHELLIE CHIVERS, Vernal, UT, shall act as the second alternate successor Trustee.

# EXHIBIT "C"



05-051-0216

UNIT 26, AS SHOWN IN THE PLAT FOR SPIT MOUNTAIN VILLAGE AMENDED, A PLANNED RESIDENTIAL UNIT DEVELOPMENT, FINAL PLAT, PHASE 1, RECORDED IN THE COUNTY RECORDER OF UINTAH COUNTY, UTAH, AS ENTRY NUMBER 2006009971 IN BOOK 997 AT PAGE 396.

TOGETHER WITH AN INTEREST IN THE COMMON AREA PURSUANT TO CONDITIONS, COVENANTS AND REGULATIONS RECORDED JULY 13, 2006 AS ENTRY NO. 2006006655 IN BOOK 983 AT PAGE 708, RECORDS OF UINTAH COUNTY, UTAH, AND AS SUBSEQUENTLY AMENDED, MODIFIED AND/OR SUPPLEMENTED.