

p Book 85 Pg 787  
STATE MS.-DESOTO CO.  
FILED

JUN 26 8 19 AM '00

**CERTIFICATE OF TRUST  
THE GORMAN F. PLUNK AND SALLY C. PLUNK  
REVOCABLE LIVING TRUST AGREEMENT**

BK. 85 Pg. 787  
W.F. PLUNK

The undersigned hereby certify that they created a Revocable Living Trust. This Trust is known as: **THE GORMAN F. PLUNK AND SALLY C. PLUNK REVOCABLE LIVING TRUST**, dated the 6 day of April, 2000. GORMAN F. PLUNK and SALLY C. PLUNK, Settlers and Trustees, reside at 1570 Yorkhaven Drive, the City of Horn Lake, State of Mississippi, the County of DeSoto.

**IT IS AGREED BETWEEN THE PARTIES HERETO AS FOLLOWS:**

Description of Trust, in accordance with amended: Mississippi Code of 1972 ann. as amended in Section 91-9-1, et seq.

The parties hereto desire to confirm the establishment of a Revocable Trust on this date, for the benefit of the Settlers (as husband and wife) and containing herein the following provisions:

1. The Settlers are designated as the Trustees to serve until both of their deaths, resignations or incompetence.
2. Upon the end of the terms of the original Trustees, **BRENDA P. SEREAPS, CHERYL P. SONS, and PAMELA P. RUSHING**, are designated as Joint Successor Trustees.
3. Upon the death of either Settlor, the surviving spouse retains the unlimited right to the Trust. She or he also retains a general power of appointment which can be exercised by will or by lifetime transfer over the Trust property.
4. Any Trustee/Settlor has the power and authority to manage and control, buy, sell, and transfer the trust property, in such manner as the Trustee may deem advisable, and shall have, enjoy and exercise all powers and rights over and concerning said property and the proceeds thereof as fully and amply as though said Trustee were the absolute and qualified owner of same, including the power to grant, bargain, sell and convey, encumber and hypothecate, real and personal property, and the power to invest in corporate obligations of every kind, stocks, preferred or common, and to buy stocks, bonds and similar investments on margin or other leveraged accounts, except to the extent that such management would cause includability of an irrevocable trust in the Estate of a Trustee.
5. Following the death of both husband and wife, the Trust continues or is distributed in whole or in part for the benefit of the following income and principal Beneficiaries according to the terms of the Trust: **BRENDA P. SEREAPS, CHERYL P. SONS, and PAMELA P. RUSHING**.

6. While both Settlers are living and competent, except when there shall be a Corporate Trustee, either Trustee may add money to or withdraw money from any bank or savings and loan or checking account owned by the Trust without the approval of the other Trustee or other Trustor, provided, however, that the ownership of funds received and deposited, whether community property or non-community property shall remain the same and the Trustor removing or adding funds shall gain no additional ownership interest therein than was present prior to the withdrawal from or addition to the Trust Account.

7. All property transferred into the Trust which had an original source as community property shall remain community property unless other provisions shall have been made therefor.

8. All separate property transferred into the Trust remains separate property unless other provisions have been made therefore.

9. Unless otherwise indicated to a prospective transferee, the Trustee has full power to transfer assets held in the name of the Trust and subsequent transferees are entitled to rely upon such transfers provided the chain of title is not otherwise deficient.

10. The Trust Agreement also states that any bank, corporation, brokerage firm or other entity or any individual may conclusively presume that the Trustee has full power and authority and such person or institution shall be held harmless and shall incur no liability by reason of so presuming.

11. The following described immovable property is subject to this trust. Upon the death of the surviving trustor, the situs of the trust may be changed by a majority of the income beneficiaries designated in the trust:

1. Land and improvements on property located at 1570 Yorkhaven Drive, Horn Lake, DeSotor County, Mississippi.
2. 4 Lots located on Motor Scooter Drive & High Street, Nesbit, DeSoto County, Mississippi.

**SEE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTIONS**

12. The use of this Certificate of Trust is for convenience only and the Trust is solely controlled as to provisions and interpretations, and any conflict between this abstract and the Trust shall be decided in favor of the Trust.

IN WITNESS WHEREOF, the parties have hereto executed this Certificate of Trust this date.

WITNESSES:

Doug Anderson

Betty L. Harris

WITNESSES:

Doug Anderson

Betty L. Harris

SETTLORS/TRUSTEES:

Gorman F. Plunk  
GORMAN F. PLUNK  
1570 Yorkhaven Drive  
Horn Lake, Mississippi 38637  
662-393-9337

Sally C. Plunk  
SALLY C. PLUNK  
1570 Yorkhaven Drive  
Horn Lake, Mississippi 38637  
662-393-9337

STATE OF MISSISSIPPI  
COUNTY OF DeSOTO

On this the 6th day of April, 2000, before me, a Notary Public, personally appeared **GORMAN F. PLUNK AND SALLY C. PLUNK**, personally known to me to be the persons whose name are subscribed to this instrument, and acknowledged that they executed it for the purposes herein expressed.

Aue Holmes

Notary Public, State of Mississippi  
My Commission Expires: November 13, 2003  
Banded Thru Dixie Notary Service, Inc.  
My Commission Expires: \_\_\_\_\_

After recording return to:

MISSISSIPPI FILING INSTRUCTIONS:

Pursuant to Code 89533::

MISCELLANEOUS INDEX

This instrument prepared by:  
The Legal Department of  
Mid-South Trust & Estate Planning  
3220 N. Turnbull Drive  
Metairie, Louisiana 70002  
(504) 454-0667

Mr. & Mrs. Gorman F. Plunk  
1570 Yorkhaven Drive  
Horn Lake, Mississippi 38637  
662-393-9337 N/A

EXHIBIT "A"  
REAL PROPERTY  
OF  
GORMAN F. PLUNK AND SALLY C. PLUNK

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

1. Lot 2, Second Revision of Plunk's Industrial Center Subdivision in Section 25, Township 2 South, Range 8 West, DeSoto County, Mississippi, as shown by plat thereof appearing of record in Plat Book 56, Page 31, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Being the same property conveyed to G. F. Plunk by Joseph D. Rutherford by Land Deed of Trust recorded in Book 897 Page 139.

2. Lot 34 Section D, Church road Estates Subdivision as recorded in DeSoto County Chancery Clerk's Office, Plat Book 23, Pages 50 and 51 and being more particularly described as follows:  
Beginning at a point in the northwest line of Yorkhaven Drive said point being a common corner of Lots 35 and 35; thence northeastwardly along said northwest line a distance of 268.41 feet to the southwest corner of Lot 33; thence northwestwardly along the line dividing Lots 33 and 34 a distance of 284.44 feet to a point in the northwest boundary line of the subdivision; thence southwestwardly along said northwest line a distance of 218.97 feet to the northeast corner of Lots 35; thence southwardly along the line dividing Lots 35 and 34 a distance of 285.38 feet to the point of beginning.  
Containing a one story brick and frame dwelling identified as 1570 Yorkhaven Drive.  
*located in Section 2 Township 2 Range 8*

3. Lot 3, Second Revision of Plunk's Industrial Center Subdivision in Section 25, Township 2 South, Range 8 West, DeSoto County, Mississippi, as shown by plat thereof appearing of record in Plat Book 56, Page 31, in the office if the Chancery Clerk of DeSoto County, Mississippi.

Being the same property conveyed to G. F. Plunk by Joseph D. Rutherford by Land Deed of Trust recorded in Book 897 Page 132.

4. Lot 11, First Revision to Plunk's Industrial Center in Section 25, Township 2 South, Range 8 West, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 53, Pages 18-20, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Being the same property conveyed to G. F. Plunk by Harold C. Brookshire by Land Deed of Trust.

5. Lot 4, Plunk's Industrial Center, First Revision, in Section 25, Township 2, Range 8 West, DeSoto County, Mississippi, as shown on plat recorded in Plat Book 53, page 18-20, in the Chancery Clerk of DeSoto County, Mississippi.

Being the same property conveyed to G. F. Plunk by Pearson Estate, Ira S. Pearson, Executor by Land Deed of Trust.

**FOR SETTLORS OF:  
THE GORMAN F. PLUNK AND SALLY C. PLUNK  
REVOCABLE LIVING TRUST**

For your records and for proper identification, please make sure that each of the following instructions is completed.

Sign and/or date each page in this book which is marked with a tab. Also your Trust Agreement, Will, Power of Attorney, and Power of Attorney for Health Care must be notarized.

**A. REAL ESTATE PROPERTY**

1) Transfer all real estate property by using the **WARRANTY DEED FOR IMMOVABLE PROPERTY** and "Schedule I for Immovable Property" provided with the Trust, and file with the Chancery Clerk of your County.

2) List on the form entitled "Real Estate Properties Transferred into the Trust" located in the **TRUST ASSETS** section of this book all real estate properties and dates in which the property was transferred to your Living Trust by filing with the County. (Location and address is important for proper identification, so make sure this information is included on the form.)

3) All and any real estate property purchased in the future should be purchased in the name of the Trust.

**AFTER YOU HAVE HAD YOUR TRUST DATED, SIGNED AND NOTARIZED,  
COMPLETE THE FOLLOWING INSTRUCTIONS.**

**B. PERSONAL PROPERTIES**

1) List all of your personal property by using the **BILL OF SALE FOR PERSONAL PROPERTY** and "Schedule I for Personal Property" provided with your Trust.

2) List on the form entitled "Personal Properties Transferred into the Trust" located in the **TRUST ASSETS** section of this book all of your personal property and the date on which it was transferred into the Trust.

**C. INVESTMENT AND SAVINGS**

List on the form entitled "Investment Savings Transferred into the Trust" located in the **TRUST ASSETS** section of this book all investment and savings account names and numbers, with the respective institution name and address, and the date on which the account was transferred to the Trust.

**REMEMBER... YOUR SOCIAL SECURITY NUMBER IS YOUR TRUST NUMBER**

**MID-SOUTH TRUST & ESTATE PLANNING, LLC**

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