

For recording purposes only:

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Prepared by:

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(415) 485-9251  
California State Bar No. 071798

### CERTIFICATE OF TRUST AGREEMENT

**Mario C. Fiorio and Ines C. Fiorio, as Settlers and Trustees, of that certain  
Restatement of Fiorio Family Trust dated December 12, 1992**

**INDEXING INSTRUCTION:** Lot No. 1 of Phase 2, Village Shops of Crumpler  
Place Subdivision, as shown on Plat of Record in Plat Book 60 at Page 24 **32-1-6**

**PLEASE RETURN RECORDED DOCUMENT TO:**

**First American Title Insurance Company  
911 Main Street, Ste 2500  
Kansas City, MO 64105  
Attn: Sheryl Snook  
NCS 490000MS1 KCTY**

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Holcomb Parker  
Bx 707  
Oxford Mo 38655

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INDEXING INSTRUCTION: Lot No. 1 of Phase 2, Village Shops of Crumpler Place  
Subdivision, as shown on Plat of Record in Plat Book 60  
at Page 24

### CERTIFICATE OF TRUST AGREEMENT

WHEREAS, Mario C. Fiorio and Ines C. Fiorio, as Settlers and Trustees, have executed that certain Restatement of Fiorio Family Trust dated December 12, 1992 (the "Trust Agreement") for the purposes of holding and administering the trust estate created thereunder, which trust estate has agreed to purchase certain real property located in the State of Mississippi; and

WHEREAS, Mario C. Fiorio and Ines B. Fiorio currently serve as Co-Trustees under the Trust Agreement, which requires that the Co-Trustees act jointly with regard to actions affecting real property.

NOW, THEREFORE, in accordance with Section 91-9-7 of the Mississippi Code of 1972, as amended, Mario C. Fiorio and Ines B. Fiorio hereby file this Certificate of Trust in lieu of the Trust Agreement, and certify as follows:

1. Name of the Trust:

Restatement of Fiorio Family Trust dated December 12, 1992

2. Street and mailing address of the office of the Trust:

6300 Thomas Lane  
Gilroy, CA 95020

PLEASE RETURN DOCUMENT TO:

First American Title Insurance Company  
National Commercial Services  
911 Main, Suite 2500, Kansas City, MO 64105  
Attention: Sheryl Snook  
FILE NO. 49000ms1

3. Name and street and mailing address of the office of the Trustee:

Mario C. Fiorio and Ines B. Fiorio, Co-Trustees  
6300 Thomas Lane  
Gilroy, CA 95020

4. Name And Street And Mailing Address of the Grantor:

Mario C. Fiorio and Ines B. Fiorio  
6300 Thomas Lane  
Gilroy, CA 95020

5. Legal Descriptions Of All Interests In Real Property Owned By Or Conveyed to The Trust:

See Exhibit A attached hereto and incorporated herein by this reference.

6. Anticipated Date of Termination of the Trust:

Upon the death of both Settlers.

7. General Powers Granted To the Trustec:

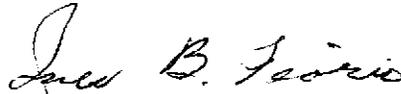
The Trustees are granted all of the powers conferred by California law, not in conflict with the following specific powers:

With respect to the assets of the Trust, to collect, convey, convert, assign, partition, sell, dispose of, exchange, hold, improve, invest, reinvest, lease (including leases of oil, gas or other minerals), grant easements or rights of way with or without compensation, manage, mortgage, pledge, grant and exercise options with respect to, take possession of; protect, repair, maintain, determine what is income and what is principal, continue mortgages or deeds of trust on or after maturity with or without renewals or extensions, to execute contracts (including leases) with a term(s) which will or may extend beyond the time required for the administration of the Trust, and generally to do any and ever act or thing, or to enter into any agreement with respect to the Trust, or any part thereof in the same manner and to the same extent as though the Trustee was the absolute owner thereof, as Trustee may deem necessary or desirable in the interest of the beneficiaries of the Trust, without being limited in any way by such specific grants of powers.

IN TESTIMONY WHEREOF, witness the execution of Mario C. Fiorio and Ines B. Fiorio, Co-Trustees of the Restatement of Fiorio Family Trust dated December 12, 1992.



Mario C. Fiorio  
Co-Trustee of the Restatement of  
Fiorio Family Trust dated  
December 12, 1992.



Ines B. Fiorio  
Co-Trustee of the Restatement of  
Fiorio Family Trust dated  
December 12, 1992.

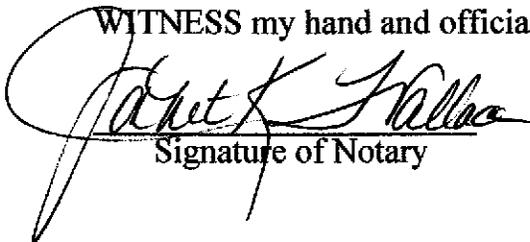
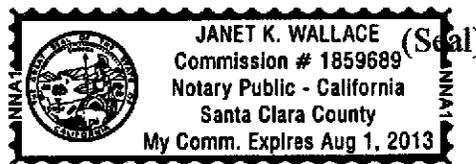
State of California  
County of SANTA CLARA }

On August 6, 2010 before me, JANET K. WALLACE

the undersigned Notary Public, personally appeared Mario C. Fiorio, 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 on behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

  
Signature of Notary

State of California  
County of *Santa Clara*

On August *6*, 2010 before me, *JANET K. WALLACE*

the undersigned Notary Public, personally appeared Ines B. Fiorio, 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 on behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

*Janet K. Wallace*  
\_\_\_\_\_  
Signature of Notary

(Seal)

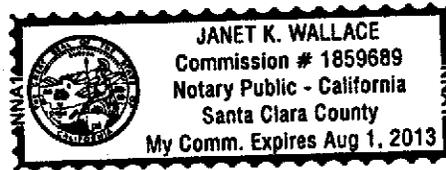


Exhibit A

**LEGAL DESCRIPTION:**

**PARCEL I:**

LOT NO. 1 OF PHASE 2, VILLAGE SHOPS OF CRUMPLER PLACE SUBDIVISION, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 60, PAGE 24 BEING LOCATED IN SECTION 32, TOWNSHIP 1 SOUTH, RANGE 6 WEST, OLIVE BRANCH, DESOTO COUNTY, MISSISSIPPI.

BEGIN AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 6 WEST; THENCE SOUTH 00 DEGREES 42 MINUTES 02 SECONDS WEST 99.06 FEET TO A POINT; THENCE SOUTH 89 DEGREES 17 MINUTES 58 SECONDS EAST 2960.33 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF GOODMAN ROAD TO A CHISEL MARK (FOUND); SAID MARK BEING THE TRUE POINT OF BEGINNING FOR THE HEREIN DESCRIBED LOT; THENCE SOUTH 89 DEGREES 17 MINUTES 58 SECONDS EAST 221.01 FEET ALONG SAID RIGHT OF WAY TO AN IRON PIN (FOUND); THENCE SOUTH 00 DEGREES 40 MINUTES 15 SECONDS WEST 240.94 FEET TO AN IRON PIN (FOUND) IN THE NORTHERLY LINE OF A 40 FOOT INGRESS-EGRESS EASEMENT; THENCE ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 16.80 FEET, DELTA ANGLE OF 06 DEGREES 25 MINUTES 06 SECONDS, RADIUS OF 150.00 FEET, TANGENT LENGTH OF 8.41 FEET TO AN IRON PIN (FOUND); THENCE NORTH 89 DEGREES 17 MINUTES 58 SECONDS WEST 170.51 FEET ALONG SAID EASEMENT TO A CHISEL MARK (FOUND); THENCE ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 53.00 FEET, DELTA ANGLE OF 89 DEGREES 58 MINUTES 13 SECONDS, RADIUS OF 33.85 FEET, TANGENT LENGTH OF 33.73 FEET TO A CHISEL MARK (FOUND) IN THE EASTERLY LINE OF A 30 FOOT INGRESS-EGRESS EASEMENT; THENCE NORTH 00 DEGREES 40 MINUTES 15 SECONDS EAST 206.27 FEET ALONG SAID EASEMENT TO THE POINT OF BEGINNING.

TOGETHER WITH ALL EASEMENT RIGHTS AND APPURTENANCE WITH RESPECT TO INGRESS AND EGRESS TO THE PREMISES AS GRANTED IN THAT CERTAIN RECIPROCAL EASEMENT AND OPERATION AGREEMENT DATED FEBRUARY 25, 1998 AND RECORDED IN BOOK 331, PAGE 132 IN THE OFFICE OF THE CHANCERY CLERK, DESOTO COUNTY, MISSISSIPPI.