



## REVOCABLE LIVING TRUSTS

River Valley Credit Union accepts Revocable Living Trusts. Irrevocable Trusts are not accepted for membership but may be listed as beneficiary on an account.

### Membership Requirements:

- Grantor(s), Trustee(s) and Beneficiaries must be eligible for membership.
- River Valley Credit Union Membership is open to anyone who lives, works, attends school or worships in one of the following seven (7) counties of Ohio OR has a family member who is already a Member:
  - Montgomery
  - Greene
  - Miami
  - Preble
  - Butler
  - Warren
  - Clark

### Ineligible accounts:

- Individual Retirement Accounts (IRAs)
- Power of Attorneys (POAs) are not permitted on Trust accounts
- Health Savings Accounts (HSAs)

### Required Documents:

1. **River Valley Certification of Trustees and Grantors Under Trust** document (attached)
  - When completing this form the Trust Identification/ SSN for the trust must be the same as the primary member if account numbers are to remain the same.
  - Prior to signing this document, it should be reviewed by your attorney.
2. **Certification of Trust/Memorandum of Trust** provided by attorney who created the trust **OR** the trust document. If providing the trust document the following pages are needed:
  - Title page (Lists the name of the trust and the date it was created)
  - Page that lists Grantors, Trustee(s) and Successor Trustee(s)
  - Signature Page with signatures properly notarized

### Next Steps:

- Bring all required documentation to a branch to be forwarded to the River Valley Trust Group for review and approval.
- Approval *may* take up to a week.
  - All accounts under a member number must qualify to be in the trust and all account owners/signers need to be listed in the trust as a current trustee not a successor trustee.

### For any questions please contact:

**Carrie Poynter:** 937-741-7227

**Kimberly Steward:** 937-741-7199

## CERTIFICATION OF TRUSTEES AND GRANTORS UNDER TRUST

(Prior to signing, this Certification should be reviewed by an attorney)

The undersigned, Trustee(s) and Grantor(s) of the \_\_\_\_\_  
hereby certify or certifies as follows under penalty of perjury: \_\_\_\_\_ (Name of Trust)

### 1. Creation of Trust

Name of Trust: \_\_\_\_\_  
Date of Trust: \_\_\_\_\_  
Grantor(s) of the Trust: \_\_\_\_\_  
Trust Identification, Social Security or Employer Identification No. \_\_\_\_\_

The undersigned certifies that I (We) are the Trustee(s) and Grantor(s) of the Trust named above that a Trust Agreement exists and was executed by the Grantor(s) on the date listed above, and that the manner in which trust assets should be taken is in the name of the Trust as identified herein above.

### 2. Trustee(s) All of the original, undersigned acting trustees of the trust are:

Name of original Trustee: \_\_\_\_\_  
Name of original Trustee: \_\_\_\_\_

The Trust Agreement appoints original Trustee(s) as indicated herein above, and provides that: If there is more than one Trustee any one Trustee may act alone. **Note: River Valley Credit Union, Inc. ("RVCU") requires that if more than one trustee exists, that the Trust Agreement provide that any one trustee may act alone in the exercise of the powers of the trustee under the trust.**

The Trust appoints \_\_\_\_\_ as Successor Trustee(s) upon the death, incapacitation or resignation of the undersigned Trustee(s), and it is understood that submission of the Trust Agreement may be required at any time.

Notwithstanding any provisions contained in the Trust, the Trustee(s) certify that no Power of Attorney will be granted to an agent or agents of Trustee in order to permit said agent or agents to act on behalf of Trustee(s) in regards to any dealings with RVCU.

### 3. Revocability of Trust The trust is Revocable by the Grantors. **Note: RVCU requires that the Trust Agreement must be revocable and requests that they immediately be notified if there is a change in the status of the trust in that it becomes irrevocable.**

### 4. Powers of Trustee(s)

- The Powers of the Trustee(s) with respect to financial institutions include:
  - a. The Trustee(s) may establish banking relationships, open and close deposit accounts, endorse checks for the payment of money and withdraw funds on deposit with RVCU and perform any other financial dealings or acts as Trustee(s) of the Trust with RVCU. Additionally, they may execute contracts – transfer securities in the possession of or registered in the name of the Trust, appoint an agent and otherwise act on behalf of the Trust.
- The powers of the Trustee(s) to manage trust property include:
  - a. The power to add assets received from any source to the trust. [ ] Yes [ ] No (check one)
  - b. The power to borrow money or otherwise finance trust property. [ ] Yes [ ] No (check one)
  - c. The power to encumber trust property/assets with a deed of trust, mortgage or pledge. [ ] Yes [ ] No (check one)
  - d. The power to self-deal with the trust property without restriction [ ] Yes [ ] No (check one)

The Trustee(s) have full power of authority as Trustee(s) under the trust instrument creating the current trust and under applicable law to execute the Mortgage, Deed of Trust, Security Agreement, and any and all other documents, notes, instruments, certificates, consents, and affidavits required or appropriate to effectuate the financing and mortgaging of the property located at: \_\_\_\_\_

\_\_\_\_\_ (hereafter "Loan Documents") from RVCU and hereby acknowledge all of the terms and conditions contained in the Loan Documents and agree to be bound thereby. Further, the Trustee(s) have not been notified of the existence or assertion of any lien, encumbrance or claim against any beneficial interest in, or transfer of all or any portion of any beneficial interest in, or powers of direction over the Trustee(s) or the Trust, as the case may be, or power of revocation over the trust.



The below named Trustee(s) is/are fully empowered to act for said Trust and is/are properly exercising his/her/their authority under said Trust in negotiating for, contracting for and executing the document(s) attached hereto, and that no Trustee(s) other than the following named trustees are necessary under the Trust to sign said document(s):

5. The name(s) of **ALL** persons who have any power to revoke the trust are:

\_\_\_\_\_  
\_\_\_\_\_

6. **Signed by All Currently Acting Trustees** This certification is being executed by all of the currently acting trustees and the Grantor(s) of the Trust.

7. **Accuracy** This certification of trust is a true and accurate statement of the matters referred to herein.

8. **Signature Authority** If there are two or more trustees the signature of only one trustee is required to exercise the powers of the trustee under the trust.

9. **No Challenge to Authority of Trustee. No Revocations, Modifications or Amendments** Declarant(s) state that the Trust is in full force and effect and has not been revoked, modified, terminated or otherwise amended in any manner which would cause the representations in this Certification to be incorrect. Declarant(s) state that to the best of his/her/their knowledge, there are no claims, challenges of any kind or cause of action alleged, contesting or questioning the validity of the Trust or the trustee's authority to act for the Trust.

10. **Reliance of This Certification** Any transaction entered into by a person acting in reliance on this certification shall be enforceable against the trust assets.

11. **Trust Amendment** Notwithstanding, any provisions contained in the Trust, this Certification will act as an amendment to the Trust as to any conflicts between the Trust and this Certification.

12. This Declaration, as to the Trustee(s), is prepared and executed pursuant to Ohio Revised Code Section 5810.13.

Signed under penalty of perjury, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Trustee Signature)  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Trustee Signature)  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Grantor Signature)  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Grantor Signature)  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

STATE OF OHIO \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, a notary public in and for said County and State, personally appeared

\_\_\_\_\_ personally known to me (or 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.

WITNESS my hand and official seal.

\_\_\_\_\_  
(Signature of Notary Public)