

Third Amendment
to file # 171551

Office of the Minnesota Secretary of State
Business Trust | Original Filing

Minnesota Statutes, Chapter 318



NOTE: Business Trusts are now filed as Official Documents of the State. There is no fee for filing these documents.
Please review Minnesota Statute Chapter 318 prior to filing any documents.
See Page 2 for Minnesota Statutes 318.01-318.06, or, <https://www.revisor.mn.gov/statutes/?id=318>

- Name of Trust:** (Required) RE971051155US-07 Trust (Third Amendment)
Union state of Minnesota of the United States of America
- Home Jurisdiction:** (Required) Equity Article III
- Complete Registered Office Address & Agent in Minnesota** (Required):
 - Agent Name: Registered agent for RE971051155US-07 Trust
 - Address: c/o Carol Ann Foss 2515 White Bear Avenue Suite A8-262
 - City, State, Zip: maplewood minnesota 55109
- Trustees** (Minimum 2 Required for Minnesota Trusts):
 - Trustee: Foss, Carol - Trustee
 - Trustee: Brell, Kevin - Co-Trustee
 - Attach additional sheets if necessary.
- Declaration of Trust Information** (Required) –
 - Attach a Copy of the Trust
 - Attach a Declaration by a Trust Official that the copy submitted is a true copy
- Documentation for Non-Minnesota Trusts.**
 - In addition to the above, attach a Certificate of Existence or Status from the Home State authenticating the prior filing of the trustees.
- This Trust is:** _____ Perpetual Not Perpetual and expires by order of Beneficiary
- This Trust has been approved by the Commissioner of Commerce to transact the business of insurance**
 No _____ Yes, and a copy of the Approval of the Commissioner of Commerce is attached.



I certify that the documents filed constitute a true and correct copy of the "declaration of trust" in accordance with Minnesota Statutes 318.02.

By: Carol, trustee
Signature

8-30-2018
Date

List a name, e-mail address, and daytime telephone number of a person who can be contacted about this form:

Foss, Carol c.a.foss@comcast.net 1-651-428-5917
Name e-mail address Telephone Number

All of the information on this form is public. Minnesota law requires certain information to be provided for this type of filing. If that information is not included, your document may be returned unfiled. This document can be made available in alternative formats, such as large print, Braille or audio tape, by calling 651-296-2803/voice. For a TTY/TTD (deaf and hard of hearing) communication, contact the Minnesota Relay Service at 1-800-3529 and ask them to place a call to 651-296-2803. The Secretary of State's Office does not discriminate on the basis of race, creed, color, sex, sexual orientation, national origin, age, marital status, disability, religion, reliance on public assistance or political opinions or affiliations in employment or the provision of service.

~~190458~~ NEB

171551-Third-amendment



Declaration of Trust RE971051155US-07

Third Amendment

A trust created in the jurisdiction upon the soil of Ramsey county of the Union state of Minnesota (*est.* A.D. 1856) of the union states of America (*est.* A.D. 1791) within a non-military occupied private estate, non-domestic, without the “United States”, and protected by international law Article 23 of the Treaty Convention of the Hague of 1907 amended Ratified by the President of the United States February 23, 1909.

Grantor **Foss, Carol Ann**, and Settlor **Grell, Kevin John**, *temporary private mailing location c/o 2515 white bear avenue, suite a8-262, maplewood, minnesota.*

Deed of Conveyance & Acknowledgement and Acceptance of trust corpus intestate decedent’s legal Estate in the custodial care of Ramsey county, State of Minnesota: “Carol Ann Foss (Brandt)” established October 30, 1961, “Certificate of Birth No. 1961-MN-034644” and “Certificate of Live Birth No. 122-61-060174”.

(Notice: a true and correct copy of the “declaration of trust” has been filed in the Office of the Secretary of the state of Minnesota in accordance with Minnesota Statute Section 318.02 as published 9/02/2015.)

Registered Agent: Foss, Carol, Agent of the Office of Trustee, c/o 2515 white bear avenue, suite a8-262, maplewood, minnesota.

Original “declaration of trust” drafted on the Twelfth day of the Twelfth month of the year of our Lord Two Thousand and Sixteen *Anno Domini*, and of the independence of **The United States of America** the two hundred and forty-first. (12-12-16) and First Amendment drafted on the Eleventh day of the Fourth month of the year of our Lord Two Thousand and Seventeen (4-11-17) *Anno Domini*, Second Amendment drafted on the Thirtieth day of the Tenth month of the year of our Lord Two Thousand and Seventeen (10-13-2017) *Anno Domini*.

* Annex C: Settlor’s Intent Public Record County Recorder, Ramsey County, State of Minnesota, Doc No. A04551719, A04551720, A04551721, Recorded Fifteenth Day of the Fourth month Two Thousand Fifteen, A04564512, Recorded Thirteenth Day of the Seventh month Two Thousand Fifteen *Anno Domini*.

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TRUST ID# RE971051155US-07 (third amendment – 8/28/2018)

An equitable arrangement arising from the Maxims of Equity of The United States of America, A.D. 1776.

Whereas, this **Third Amendment** drafted on the Twenty eighth day of the Eighth month of the year of our Lord Two Thousand and Eighteen *Anno Domini*, and of the independence of The United States of America the two hundred and forty-third, further clarifies the existing original intent of the settlor and does not create new powers or authorities to the original "**Declaration of Trust RE971051155US-07**" File #171551 dated December 16, 2016 and **First Amendment** drafted on the Eleventh day of the Fourth month of the year of our Lord Two Thousand and Seventeen and **Second Amendment** drafted on the Thirteenth day of the Tenth month of the year of our Lord Two Thousand and Seventeen filed with the Office of the Secretary of the state of Minnesota in accordance with Minnesota Statute Chapter 318.02 as published 9/02/2015. This amendment includes corrections for errors, mistakes, additions and declarations to the original "**Declaration of Trust RE971051155US-07**" and "**Declaration of Trust RE971051155US-07 First Amendment**" and "**Declaration of Trust RE971051155US-07 Second Amendment**".

"Notice of Change of Name of Trust"

Section one. Whereas, it is the settlor and grantor's intent to give **notice** of change of name of Trust formally known as **RE971051155US-07 Trust**, now it is called the "Carol Ann Foss Living Estate Trust" being an irrevocable inter vivos Living Estate Trust. Settlor and grantor's intent being to retitle the name not the corpus of the Trust.

Section two. Whereas, it is the settlor and grantor's intent that all existing equitable assets in said Trust will be we retitled in the name of "Carol Ann Foss Living Estate Trust", and said titles will be held as follows: Carol Ann Foss, TRUSTEE, of the Carol Ann Foss Living Estate Trust, Dated the 12th day of December, 2016.

Section three. Whereas, it is the settlor and grantor's intent that all equitable assets acquired in the future in the name of the "Carol Ann Foss Living Estate Trust" will be titled, transferred and held as follows: Carol Ann Foss, TRUSTEE, of the Carol Ann Foss Living Estate Trust, Dated the 12th day of December, 2016, using the letter of Requisition of Retitlement, (see sample of form annexed herewith and made a part of as **Trust Annex R**) of all accounts, assets, funds, held by transfer agents, bankers and all other qualified persons.

Kis *Caf*

Section four. Whereas, the following Schedule "A" Carol Ann Foss Living Estate Trust Table of Res (annexed herewith and made a part of as **Trust Annex S**), is a list of all Trust special deposits to date as of this amendment recording.

Section five. Whereas, it is the settlor and grantor's intent that all existing (see Trust Schedule "A") and new Trust res will be conveyed transferred into the Trust with consideration of One Silver Coin, One Lawful United States Dollar for Credit on Account and One Lawful Stamp of the Postmaster General (See "Memorandum of Tender in silver Coin with Dollar and Stamp" below).

Section six. Whereas, it is the settlor and grantor's intent that the TRUSTEE will have the power to execute a Deed of Conveyance Absolute Transfer into the Trust and a Deed of Conveyance Absolute Transfer out of Trust.

Section seven. Whereas, it is the settlor and grantor's intent that the TRUSTEE will have the power to assign a chose in action (right in action) on redemption rights involving all Trust equitable assets listed in Schedule "A".

Memorandum of Tender in Silver Coin with Dollar and Stamp

1. "The word 'tender', as used in such a connection, does not mean the same kind of offer as when used with reference to the payment or offer to pay an ordinary debt due in money, in cases where the money is offered to a creditor entitled to receive it and nothing further remains to be done, the transaction thereby being completed and ended; but it then means a readiness and willingness, accompanied with an ability on the part of one of the parties, to do the acts which the agreement requires him to perform, provided the other will concurrently do the things which he is required by it to do, and a notice by the former to the latter of such readiness. Such readiness, ability, and notice are sufficient evidence of, and indeed constitute and imply an offer or tender in the sense in which those terms are used in reference to agreements generally." MODERN LAW OF CONTRACTS 1896 by Charles Fisk Beach Jr. Vol. I., Chapter VIII., Section 297.
2. Article I, Section 10 The Constitution of the United States of America "...make any Thing but gold and silver Coin a Tender in Payment of Debts; ...".
3. 73rd Congress CONGRESSIONAL RECORD-HOUSE "The Money will be worth 100 cents on the dollar, because it is backed by the credit of the Nation. It will represent a mortgage on all the homes and other property of the people in the Nation."
4. [18 U.S. Code §8- 'Obligation or other security of the United States'] "... and canceled United States stamps."

5. BOUVIER 6th Ed. 1856, §20. To convey a title the seller must himself have a title to the property which is the subject of the transfer. But to this general rule there are exceptions:
 - a.) The lawful coin of the United States will pass the property along with possession.
 - b.) A negotiable instrument endorsed in blank is transferable by any person holding it, so as by its delivery to give a good title "to any person honestly acquiring it."

Execution

In Presence of Us, In Witness Whereof, **we/i** hereunto set my/our hand(s) and seal this 28th day of August in the year Two Thousand Eighteen of our **Lord Jesus the Christ Advocate** and heir to all things and of the independence of the Sovereign unincorporated Union country of **The United States of America** the two hundred and forty third at Ramsey county, state of Minnesota a 48 state Union member within a non-military occupied private location upon the Soil.



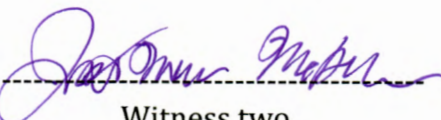
Settlor



Grantor



Witness one
Edward Roark Schwagerl
Private Civilian National
c/o post office box 10676.
Saint Paul, Minnesota.



Witness two
Justin Merlin McPherson
Private Civilian National
c/o 2223 5th street #10676.
White Bear, Minnesota.

Kis *Cef*

Table of Trust Annexes

(2 page total)

Trust Annex R: Requisition of Retirement sample form (1 page);

Trust Annex S: Schedule "A" Carol Ann Foss Living Estate Trust Table of Res (1 page).

Trust Annex R

~ Requisition of Retitlement ~

From: The Office of Carol Ann Foss, TRUSTEE, Carol Ann Foss Living Estate Trust, Dated the 12th day of December, 2016.

Date: _____

To:

Dear Sir:

I, Carol Ann Foss, TRUSTEE, the undersigned, have established a Living Estate Trust, as grantor/trustee, referred to as the -

Carol Ann Foss Living Estate Trust,
Dated the 12th day of December, 2016

Enclosed is a copy of the *Certificate of Trust* and *Affidavit of Trustee* filed in the Office of the Secretary of the state of Minnesota in accordance with Minnesota Statute Section 318.02 as published 9/02/2015, verifying such trust agreement. I wish to transfer title of my assets currently in the name of Carol Ann Foss held on account with your _____ to -

Carol Ann Foss, TRUSTEE
Carol Ann Foss Living Estate Trust,
Dated the 12th day of December, 2016

Listed below are, according to my records, products and corresponding account numbers identifying my assets, currently being held on account with your _____, which are to be transferred and *retitled* as stated above:

Type of Asset	Account Number
_____ /	_____
_____ /	_____
_____ /	_____

Sincerely,

x _____
Carol Ann Foss, TRUSTEE

RE971051155US-07-CAF-___

Kjs *CAF*

