PROBATE COURT OF BUTLER COUNTY, OHIO
JOHN M. HOLCOMB, JUDGE

IN THE MATTER OF: _____

CASE NO. _____

IRREVOCABLE TRUST AGREEMENT

This Agreement, entered into this _____ day of _____, _____ by and between JOHN M. HOLCOMB, PROBATE JUDGE, COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO, as Grantor pursuant to the statutory authority of Ohio Revised Code Section 2125.03, and _____ as Trustee.

Section 1. Trust Property. The Grantor desires to create a trust authorized by Ohio Revised Code Section 2125.03 for the purpose of receiving the sum of _____. Said sum is the proceeds from the wrongful death settlement due and payable to _____, the child of _____.

Section 2. Disposition of Trust Property. The sole beneficiary of said trust, _____ is to receive the principal and accumulated undistributed net income from the trust when he/she attains the age of twenty-five (25) years. The Trustee, may, if the beneficiary attends a college, technical school, or other accredited institution of higher education, use the trust estate to pay the tuition, fees room and board, and other expenses associated with the beneficiary attending such school only with the permission of the Court.

Additionally, the Trustee may also apply to the Court for permission to expend such amounts of the accumulated income and/or principal of the trust estate as the Trustee

deems necessary to provide for the beneficiary's health, education, comfort, maintenance and support, or to meet any emergency expense of the beneficiary. Funds may be expended for the foregoing items in the paragraph only upon the approval of the Probate Court.

Section 3. Trustee's Responsibility and Authority. The Trustee shall invest the trust funds as provided under Ohio Revised Code Section 2109.37, 2109.371 and 2109.372. Further, the Trustee shall have the authority to pay all income annually as is necessary to pay taxes on said income, college tuition and expenses, and to pay any other expenses incurred as a result of his/her duties under the Trust, including his/her fiduciary bond. The Trustee shall make accounts to the Court on a biennial basis, or at such other times as the Court may require. The Trustee shall incur no liability in handling the Trust estate, provided he/she exercises duties and responsibilities in a reasonable and prudent manner, and complies with the terms of this agreement. The Trustee accepts the Trust hereby created and agrees to carry out the provisions herein on her part to be done and performed, without compensation.

Section 4. Miscellaneous. The Trust being created shall be deemed to be an Ohio Trust, and shall be governed by the laws of the State of Ohio.

IN WITNESS WHEREOF, The parties hereto have executed this Agreement in duplicate as of the day and year first above written.

WITNESSES:

_____ _____
JOHN M. HOLCOMB, Probate Judge

_____

_____ _____
Trustee

_____ _____
Typed or Printed Name