**ABC CHURCH TRUST**

ARTICLE ONECREATION OF TRUST

1.1. Declaration. John Lazarus ("trustor") hereby declares that trustor holds certain property (the "trust estate") in trust, to be held, administered, and distributed according to the terms of this instrument. The beneficiary of the trust is the Christian community.

1.2. Name of Trust. The trust created by this instrument shall be known as the ABC Church Trust.

1.3. Effective Date. This declaration shall be effective immediately upon signature.

1.4. Purpose and Type of Trust. The purpose of this common law trust is to govern and administer the assets, debts, and accounting of ABC Church, to advance a Christian mission that is charitable and not for profit. The trust is not the church itself, but rather the trust is a legal instrument to advance the church’s interests. The church itself is a traditional unincorporated ecclesiastical body.

1.5. Private. This trust is a private trust. To the fullest extent allowed, there shall be a ‘separation of church and state’ with respect to this trust.

1.6. Church Rules Are Separate. Matters of church governance are neither stated in this document nor incorporated by reference.

1.7. Trustee Statements. For purposes of this trust administration, third parties may rely upon the statements of the trustee as authoritative.

ARTICLE TWOTRUST ESTATE

2.1. Definition of Trust Estate. All property subject to this instrument from time to time is referred to as the "trust estate". The trustee shall hold, administer, and distribute the property described in Attachment A, any other property that may be hereafter subject to this trust, and the income and proceeds attributable to all such property, in accordance with the provisions of this instrument.

2.2. Additions to Trust. From time to time, the trustee may accept additions to this trust from any source. All such additions shall become part of the trust estate and shall be held, administered, and distributed in accordance with the terms of this instrument. That additional property shall become part of the trust estate on acceptance of it by the trustee. Acceptance includes but is not limited to receipt by the church, receipt by the trustee to advance the interests of the church, the titling of property in the name of the trustee as trustee of this trust, or in the name of the church.

ARTICLE THREEPOWERS AND RESPONSIBILITIES

3.1. Powers and Responsibilities. The powers and responsibilities of the parties in relation to this trust are set forth in Attachment B. For purposes of this trust administration, third parties may rely upon Attachment B and the statements of the trustee. Third parties shall not be required, expected, or requested to consult church rules, voting records, and the like for administration of this trust. But rather third parties shall rely upon the statements of the trustee. And third parties shall incur no liability for reliance on statements by the trustee.

3.2. Method of Amendment or Revocation. Any amendment, revocation, or termination of a trust created by this instrument shall be made by notarized written instrument signed by the applicable party(ies) identified in Attachment B. Any amendments to Attachments to this trust may be processed by discarding the old attachment (do not discard the original notary page, only discard the attachment) and replacing the old attachment with the new signed and notarized attachment.

3.3. Delivery of Property After Revocation. After any revocation or termination, the trustee shall promptly wind down the trust by distributing and/or donating assets in accordance with the Christian mission of the church.

ARTICLE FOURFINANCIAL MANAGEMENT

4.1. Managing Assets and Debts. The trustee shall manage assets (i.e. buy, sell, contract, gift, maintain) and manage debts (i.e., pay bills) in the trustee’s reasonable discretion. The trustee may reasonably delegate responsibilities as needed.

4.2. Accounting. The trustee shall maintain and provide routine accounting privately pursuant to any applicable church rules, or otherwise upon reasonable request.

ARTICLE FIVETRUSTEE

5.1. Identity of Trustee. The trustee with full power of trust administration is signing below. The vote procedure for replacement of a trustee is set forth in Attachment B. If such a replacement vote proves ineffective or impossible, then a new trustee or cotrustees shall be appointed by the nearest cooperative Christian accountant or lawyer willing to appoint a successor trustee, per the trustee’s ordinary compensation schedule.

5.2. Definition of Trustee. Reference in this instrument to "the trustee" shall be deemed a reference to whoever is serving as trustee or cotrustees, and shall include alternate or successor trustees or cotrustees, unless the context requires otherwise.

5.3. Waiver of Bond. No bond or undertaking shall be required of any person who serves as a trustee under this instrument.

5.4. Procedure for Resignation. Any trustee may resign at any time, without giving a reason for the resignation, by giving written notice to the church (or posted prominently at church facilities such as upon the church bulletin board), at least thirty days before the time the resignation is to take effect.

5.5. Trustee's Liability. No trustee shall be liable to any interested party for acts or omissions of that trustee, except those resulting from that trustee's willful misconduct or gross negligence. This standard shall also apply regarding a trustee's liability for the acts or omissions of any cotrustee, predecessor trustee, or agent employed by the trustee.

5.6. Trustee Compensation. Trustee shall serve either without compensation or as compensated per church rules.

5.7. Powers of Trustee. To carry out the purposes of the trust, the trustee shall have all of the powers enumerated in this trust instrument and all powers now or hereafter conferred on trustees under State law, subject to any limitations stated elsewhere in this trust instrument.

A. Power Over Trust Property. The trustee shall have the power to retain property received into the trust at its inception or later added to the trust, as long as the trustee considers that retention in furtherance of the mission of the church.

B. Trustee's Power to Manage Property. The trustee shall have any and all expansive powers to manage the trust and trust assets (buy, sell, give, lease, invest, borrow, pledge, lien, dispose, construct, leverage, etc), by considering the mission of the church and purposes, terms, distribution requirements, and other circumstances of the trust.

C. Power to Self‑Deal‑. The trustee, acting as an individual or as a trustee of another trust not created by this trust instrument, shall have the power to perform the following acts with respect to the property of this trust: purchase property from or sell property to the trust at fair market value; exchange property for trust property of equal value; lease property from or to the trust at fair rental value; lend or advance funds to the trust; and receive from any business in which the trust has an interest a reasonable salary and reimbursement of expenses while performing duties as a trustee.

D. Power Over Unproductive Property. The trustee shall have the power to retain or acquire unproductive or underproductive property.

ARTICLE SIXMISCELLANEOUS PROVISIONS

6.1. Notice, Meeting, and Voting Procedure. Whenever advance notice, meeting, or vote is required for administration of this trust, the procedure for any such notice, meeting, or vote shall be governed in the ordinary manner of church governance, and pursuant to Attachment B. If no such procedure is known or established, then whenever notice is appropriate prior to an action (i.e., to notify a voter of an upcoming issue and vote opportunity), a reasonable time and reasonable notice shall be provided to those directly concerned, per the reasonable discretion of the party providing notice. In the event of any written dispute over same, Robert’s Rules of Order shall apply according to the Christian mission of the church. All notices, meetings, and votes shall be presumed regular, which is a rebuttable presumption pursuant to the conflict resolution procedure in the Gospel of Matthew 18:15-17.

6.2 Severability Clause. If any provision of this instrument is invalid, that provision shall be disregarded, and the remainder of this instrument shall be construed as if the invalid provision had not been included.

6.3. Applicable Law. To the fullest extent allowed, ABC Church is a Christian religious assembly and governs this trust accordingly pursuant to the assembly’s ecclesiastical authority. All questions concerning the validity, interpretation, and administration of this trust, including any accounts created under this instrument, shall be governed by the laws most local to the body of the church, beginning with the church’s ecclesiastical authority.

ARTICLE SEVENSIGNATURE AND EXECUTION

7.1. Approval. The signatures below confirm the signors have read the foregoing declaration of trust and that it correctly states the terms and conditions under which the trust estate is to be held, administered, and distributed.

Approved and executed on June 18, 2021, at the following address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
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TRUSTOR TRUSTEE

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

John Lazarus John Lazarus

**Two Witnesses:**

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

Daniel Lion Date John Patmos Date

**Attachment A**

**SCHEDULE OF TRUST ASSETS**

All property, assets, and accounts of any kind or character owned by ABC Church now or in the future.

Such property, assets, and accounts include but are not limited to:

[insert list of any assets]

**Attachment B**

**POWERS AND RESPONSIBILITIES**

**Power to Appoint A Trustee Or Remove A Trustee**

**Votes Required For This Action (chose one)**

* Majority of voters
  + Present
  + Eligible
* 3/4 of voters
  + Present
  + Eligible
* Unanimous
  + Present
  + Eligible
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Assembly
* Pastor
* Board
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Power to Amend the Trust or Revoke the Trust**

**Votes Required For This Action (chose one)**

* Majority of voters
  + Present
  + Eligible
* 3/4 of voters
  + Present
  + Eligible
* Unanimous
  + Present
  + Eligible
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Assembly
* Pastor
* Board
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_