

# DECLARATION AND AGREEMENT OF TRUST

This Declaration and Agreement of Trust made effective as of the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and among:

[NAME OF TRUSTEE]  
[address of trustee]

-and-

[NAME OF TRUSTEE]  
[address of trustee]

-and-

[NAME OF TRUSTEE]  
[address of trustee]  
(collectively, the "Trustees")

WHEREAS, the Trustees wish to establish [NAME OF TRUST] as a \_\_\_\_\_ [insert state] business trust (the "Trust") pursuant to the \_\_\_\_\_ [insert the name of the State Act governing business trusts] and this Trust Agreement, for the purpose of conducting the activities described in this Trust Agreement;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, the parties hereto agree as follows:

## 1. Trust Property

The Trustees declare that all property, income, and profit now held or acquired after the effective date of this Agreement shall be controlled by the Trustees for the benefit of such persons as may from time to time be owners of certificates of shares having beneficial interests in the Trust Estate, in accordance with the terms of this Agreement and any amendments hereto.

The property that will be subject to the terms of this Agreement consists of the following ("Trust Property"):

[List property contributed to the Trust]

## 2. Declaration of Business Trust

It is hereby declared that the Trust created by this Agreement shall constitute a business trust under the \_\_\_\_\_ [insert the name of the State Act governing business trusts], and that this Agreement constitute the governing instrument of the Trust.

## 3. Name of Trust

The name of the Trust shall be \_\_\_\_\_.

## 4. Principal Office

The principal office of the Trust shall be located at \_\_\_\_\_, unless and until changed by the Trustees. The Trustees may establish branch offices or places of business at their discretion if they determine it to be in the best interest of the Trust.