

Amendment to the _____ Trust

I _____ the Settlor of the “_____ Trust” established on _____ wish to amend my Trust to reflect a change to the definition and role of Successor Trustee to clearly define that they are not a responsible party on my Trust.

Trustee (referred to as ‘Co-Trustee’, ‘Trustee’, or ‘Trustees’). The term ‘Trustee’ shall refer to the Settlor (by default) and any Co-Trustees. The Successor Trustee listed in this document (unless otherwise also named a Co-Trustee) is not considered a responsible party.

[Revision to Section III of the _____ Trust]

ARTICLE III – NOMINATION OF SUCCESSOR TRUSTEE

A. Successor Trustee. If the Settlor or Co-Trustee(s) are not willing or able, or cannot legally possess an item in Trust in accordance with the applicable Federal or State Law, and the Settlor fails to nominate a Successor Trustee within sixty (60) days as provided in Article III, then the Successor Trustee shall be _____. Any Trustee or Successor Trustee must be legally eligible to possess items in accordance with the National Firearm Act, ie. Is not a “prohibited person” under the Gun Control Act of 1968 or any other applicable State or Federal Law.

The Successor Trustee in this document, unless otherwise listed as a Co-Trustee, is not a responsible party to the assets placed in this Trust while the Settlor living or is not incapacitated. Furthermore, the Successor Trustee may only act on behalf of this Trust if there are no other Co-Trustees available to act on behalf of the Trust upon the Settlor’s death or incapacitation.

Unless upon the death or incapacitation of the Settlor with no other Co-Trustee(s) willing or able to serve, the Successor Trustee **may not:**

- i. Possess, either directly or indirectly any assets in the Trust that are National Firearms Act, Title II class firearms or items.
- ii. Manage or direct the Trust or its distributions to Beneficiaries
- iii. Transport, Deliver, or dispose of a firearm for, or on behalf of, the Trust.

In the event of the Settlor's incapacity or death if the Trusteeship of any Trust created by this document should become vacant for any reason, the power to nominate a Successor Trustee shall be exercisable by the Beneficiary (acting jointly if there are multiple Beneficiaries, or by a sole survivor acting alone) for sixty (60) days. If no Successor Trustee has been nominated within sixty (60) days of such vacancy, then a court of competent jurisdiction shall appoint a qualified and legally eligible Successor Trustee. In the event that a Successor Trustee becomes legally ineligible to serve he shall be replaced, as well as if he resigned, removed or became incapacitated. If the Trust assets include items subject to the National Firearm Act, and the location of said property will change, an ATF Form 5320.20 shall be filed prior to removal of the Trustee.

In the event that some of the Trust property is located in a distant place, a different state or jurisdiction, and the Trustee cannot or will not administer said property, the Settlor, if he is alive, or the Trustee or Successor Trustee, if the Settlor is not alive, may name an ancillary Trustee to administer said property. The Trustee shall not be required to post a bond.

B. Reimbursement of Costs; Payment for Services: The Trustee or Successor Trustee shall be reimbursed for costs he incurs in the administration of this Trust, and said amounts shall be reimbursed, first from the interest of the Trust, and if necessary, from the corpus of the Trust. Further, the Trustee or Successor Trustee may take reasonable compensation for his services. Said payment shall be limited to what is fair and reasonable, and must not exceed the amount permitted under applicable state law.

Settlor (Print/Sign/Date): _____

1ST WITNESS (Print/Sign/Date): _____

2ND WITNESS (Print/Sign/Date): _____