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W18-16066

need: Trust Agreement



February 19, 2018

LAWRENCE M. ABRAMSON, ESQ. 1860 FOREST HILL BLVD., STE. 200 WEST PALM BEACH, FL 33406

SUBJECT: STEPHEN ABRAMSON MARITAL TRUST

Ref. Number: W18000016066

We received your online transmitted document. However, the document has not been filed for the following:

Please include a copy of the Declaration of Trust under which the association proposes to conduct its business in Florida.

To make the necessary corrections and resubmit your filing, return to our website and access electronic filing, then online filing. Choose to update your request by using the confirmation number and the pin number listed above. For any questions concerning the website, please call 850-245-6939. Please disregard this letter, if you have contacted our office and were advised how to correct vour document online.

If you have any further questions concerning your filing, please call (850) 245-6052.

Letter Number: 718A00003405

DANIEL L O'KEEFE Regulatory Specialist II New Filing Section

## **Storm Abramson Properties**

1860 Forest Hill Blvd. West Palm Beach, Florida 33406

Telephone (561) 968-5456 Fax (561) 965-0059

February 22, 2018

Sent Via US MAIL
Department of State
Division Of Corporation
P O Box 6327
Tallahassee, FL, 32314
ATT: Daniel O'Keefe

RE:

DECLARATION OF TRUST
WILLIAM P. STORM TRUST,
DOCUMENT # W18000016116
STEPHEN ABRAMSON MARITAL TRUST,
DOCUMENT # W18000016066

Mr. O'Keefe:

As per our telephone conversation on February 22, 2018, in regard to the above-referenced matter, enclosed please find the following:

- 1. One copy of the Last Will And Testament of Stephen Abramson which includes the Trust Agreement in the Fifth paragraph;
- 2. One copy of the Trust Agreement for the William P Storm Trust, as Amended;
- 3. Copies of the Declaration of Trust filed with the Division of Corporation for reference purposes.

Should you have any questions please do not hesitate to contact me.

Very truly yours,

LAWRENCE M. ABRAMSON, ESO.

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LMA/mmc

Encl.

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# AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE TO FILE OR QUALIFY

STEPHEN ABRAMSON MARITAL TUST

A	FLORIDA	TESTAMENTARY	TRUST

Со	mmon Law Declarations	609.02 of the Florida Statutes, pertains of Trust, the undersigned, the Chairm Stephen Abramson Marital Trust				
	Clarida	(Name of Trust)	aualifiz			
	(State) Stephen Abramson I	Trust hereby affirms in order to file or Marital Trust, in the State of				
	(Name of Tr	rust)				
1.	Two or more persons are	e named in the Trust.				
2.	The principal address is	1860 Forest Hill Boulevard, Suite 200				
	West Palm Beach, FL. 33406					
3.	The registered agent and Lawrence M. Abra	d street address in the State of Florida i	s:			
1	860 Forest Hill Boulevard	, Suite 200, West Palm Beach, FL. 3340	6 			
4.	agent to accept service of at the place designated i	tered agent: Having been named as reof process for the above named Declaranthis affidavit, I hereby accept the appete to act in this capacity.	ation of Trust			
		Signature of Registered Agent)				
5.	-	certify that the attached is a true and correct copy of the Declaration of Frust under which the association proposes to conduct its business in				
	. 101144	Lawrence M. Abramson	ALL E			
	NOTARY	Name: Chairman of the Board of Trustees	AR -6 El Arti VHASSEI			
		Filing Fee: \$350.00 Certified Copy: \$8.75 (optional)	AH 8:			

CR2E063(3/00)

AVE-17-1989 09:064= 89-23366

### STEPHEN ABRAMSON

I, STEPHEN ABRAMSON, of Palm Beach County, Florida, do Rereby make, publish and declare this to be my Last Will and Testament and hereby revoke any and all other Wills and Codicils heretofore, made by me.

FIRST: I direct that all my just debts and funeral expenses be paid.

SECOND: I may leave a written statement or list disposing of certain items of tangible personal property not otherwise disposed of by this Will. Any such statement or list in existence at the time of my death shall be determinative with respect to all items devised therein. If no written statement or list is found and properly identified by my Personal Representative within sixty (60) days after the probate of my Will, it shall be presumed that there is no such statement or list and any subsequently discovered statement or list shall be ignored.

THIRD: I bequeath all of my personal and household effects and the like, such as jewelry, clothing, furniture, furnishings, silver, books and pictures that are not effectively devised by the written statement or list described in Article Second of this Will, to my wife, RUTH C. ABRAMSON.

FOURTH: In the event my wife, RUTH C. ABRAMSON, survives me. I give, devise, and bequeath to my children, LAWRENCE MARCUS. ABRAMSON and SARAJANE ABRAMSON MARELL, in equal parts, that fractional part of my residuary estate determined as follows:

- (a) The numerator shall be an amount equal to the largest amount that can pass free of Federal and State estate tax by reason of the unified credit and state tax credit allowable to my estate over an amount equal to the aggregate of (w) the value of all property interests passing or which have passed outside of this Will and that are includable in my gross estate; (x) an amount equal to the adjusted taxable gifts includable in determining my Federal estate tax; (y) an amount equal to all coats chargeable against the principal of my estate; and (z) an amount equal to the net value of all specific bequests made by this last Will and Testament, and any Codicil thereto, but only to the extent the values described in (w), (x), (y) and/or (z) hereof are not initially deductible in computing my taxable estate and/or the amount of the adjusted taxable gifts; and
- (b) The denominator shall be the value of my residuary estate as hereinafter defined.

In making the computations required to determine the fractional share of my residuary estate, the final determination in the federal estate tax proceeding shall control and my residuary estate shall be equal to the gross value of my probate estate, reduced only by debts, costs and expenses that are allowable as a deduction in computing my taxable estate. This bequest may be satisfied in cash or in kind, provided, however, that this bequest shall share proportionately in the appreciation and/or depreciation in the value of assets held by my residuary estate from the date of my death to the date or dates of distribution.

In the event either of my children predeceases me, the share that would otherwise have passed to such child, had he or shearvived, shall be paid over and distributed to the estate of such child

FIFTH: I give, devise and bequeath all the rest, residue and remainder of my estate, both real and personal, wheresoever the same may be situated, to my Trustee hereinafter named. "IN TRUST NEVERTHELESS, said trust to be administered and disposed of as follows:

- (a) During her lifetime, all of the not income of the trust shall be paid over and distributed to my wife, RUTH C. ABRAMSON, at least quarterly.
- (b) The Trustee is authorized in its sole and absolute discretion at any time, and from time to time, to disburse to my wife from the principal of the trust (even to the point of completely exhausting the same) such amounts as are required to provide adequately for her comfort, maintenance and support, according to the standard of living which she was enjoying at the time of my death. In determining the amounts of principal to be so disbursed, the Trustee shall take into consideration any other income or capital resources which my wife may have; and the Trustee's discretion shall be conclusive as to the advisability of any such disbursement and shall not be subject to judicial review.
- (c) Upon my death, or the death of my wife, whichever shall last occur, my Trustee shall divide this trust into as many parts or shares as I shall leave children and descendants of deceased children, then surviving, the shares of the children then surviving, to be equal and the share of the descendants of each deceased child to be in the aggregate the amount of the share that would have been set saids for the benefit of such deceased child had he or she survived the event causing the termination of the trust, and to be equal among themselves, per stirpes and not per capita each, and shall transfer and pay over to each of said beneficiaries free of trust the principal and accrued income of the share of the trust estate allotted for his or her benefit; provided, however, if any beneficiary is then under twenty-one (21)

years of age, his or her share shall immediately vest indefeasibly, but the Trustee shall continue to hold said beneficiary's share until said beneficiary actains that age. During such periods, the Trustee shall use so much of the income and principal of the trust for said beneficiary's reasonable support, comfort and education as the Trustee determines to be necessary for those purposes.

(d) My Personal Representative may elect to have a specific portion or all of this Marital Trust treated as qualified terminable interest property for federal estate tax purposes. In making a decision, my Personal Representative is advised to compare the value of the reduction in the amount of the total estate and inheritance taxes that will be paid by reason of my death and the death of my wife with the value of the deferral of payment of some or all of the taxes that would otherwise be payable until the subsequent death of my wife, such value to be determined by reference to the then value of money, and the health and life expectancy of my surviving spouse, with a view to decreasing the overall tax and interest costs. My Personal Representative shall not be liable to any person or persons by reason of making an error in judgment as to the relative values, it being specifically recognized by me that such decision must be based on assumptions as opposed to fact.

SIXTH: Any share or portion of a share of any trust created hereunder or any other property of mine that is not disposed of under any other provision of this Will, shall go and be distributed to my heirs-at-law. Their identity and respective shares shall be determined in all respects as if my death had occurred immediately following the happening of the event requiring such distribution, and according to the laws of Florida then in force governing the distribution of the estate of an intestate.

0R8 6164 Ps 1721

SEVENTH: No interest of any beneficiary in the corpus or income of my estate or the trust created hereunder shall be subject to assignment, alienation, pledge, attachment or claims of creditors of such beneficiary and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary, except as may be otherwise expressly provided herein.

EIGHTH: If any trust created hereunder shall violate any applicable rule against perpetuities, accumulations or any similar rule or law, my Trustee is hereby directed to terminate such trust on the date limited by such rule or law and thereupon the property held in such trust shall be distributed to the persons then entitled to share the income therefrom in the proportions in which they are then entitled to share such income, notwithstanding any provision of this Will to the contrary.

NINTH: All property bequeathed or devised hereunder, either outright or in trust, is bequeathed or devised subject to existing mortgages, liens or encumbrances thereon.

- TENTH: 1. The Trustees shall have the following powers with respect to the trust hereunder, to be exercised as the Trustees in their discretion determines to be to the best interests of the beneficiaries:
- (a) To retain any property transferred, devised or bequeathed to the Trustees, or any undivided interest therein, regardless of any lack of diversification, risk, or nonproductivity;
- (b) To invest and reinvest the trust property in bonds, stocks, mortgages, notes, insurance policies, annuities, common trust fund participation, or other property of any kind, real or personal, without being limited by any statute or rule or law concerning investments by Trustees;

- (c). To sell any trust property, for cash or on credit, at public or private sale; to exchange any trust property for other property; to grant options to purchase or acquire any trust property; and to determine the prices and terms of sales, exchanges and options;
- (d) To execute leases and subleases, even though such terms may extend beyond the termination of the trusts; to subdivide or improve real estate and tear down or alter improvements; to grant easements, give consents and make contracts relating to real estate or its use; and to release or dedicate any interest in real estate;
- (e) To borrow money and to mortgage or pledge any trust property:
- (f) To take any action with respect to conserving or realizing upon the value of any trust property, and with respect to foraclosures, reorganizations or other changes affecting the trust property; to collect, pay, contest, compromise or abandon demands of or against the trust estate, wherever situated; and to execute contracts, notes, conveyances and other instruments, including the instruments containing covenants and warranties binding upon and creating a charge against the trust estate, and containing provisions excluding personal liability;
- (g) To keep any property in the name of a nominee with or without disclosure of any fiduciary relationship;
- (h) To employ agents, attorneys, auditors, depositaries and proxies, with or without discretionary powers;
- (i) To determine the manner of ascertainment of income and principal, and the apportionment between income and principal of all receipts and disbursements, but only if such is

not clear under the law of the governing jurisdiction, and to select an annual accounting period;

- (j) To receive additional property from any source and add it to and commingle it with the trust corpus;
- (k) To make any distribution or division of the trust property in cash or in kind or both, and to allot different kinds or disproportionate shares of property or undivided interests in property among the beneficiaries or portions, and to determine the value of any such property; and to continue to exercise any powers, and discretion herein given for a reasonable period after the termination of the trust, but only for so long as no rule of law relating to perpetuities would be violated;
- (1) To compromise any claim existing in favor of, or made against this trust;
- (m) To give proxies, to deposit securities with and transfer title to committees representing security holders and to participate in voting trusts, reorganizations, and other transactions involving the common interest of security holders;
- (n) To deduct, retain, expend and pay out of any money belonging to the trusts any and all necessary and proper expenses incurred in connection with the operation and conduct of the trust, and to pay all taxes, insurance premiums—on any policy constituting part of the trust corpus, and other legal assessments, debts, claims or charges which at any time may be due and owing by, or which may exist against the trust.
- 2. To the extent that any such requirement can legally be waived, no Trustee shall ever be required to give any bond as Trustee or qualify before, be appointed by; or in the absence of breach of trust account to, any court or obtain the.

order or approval of any court in the exercise of any power or discretion herein given. No person paying money or delivering any property to any Trustee shall be required to see to its application.

3. Any Trustee shall be entitled to reasonable compensation for services in administering and distributing the trust property, and to reimbursement for expenses.

ELEVENTH: In the event that any of the provisions of this my Last Will and Testament should be held invalid, the invalidity of such provision or provisions shall not affect any of the other provisions hereof, it being my intention that each of the provisions shall be independent of each of the others, so that all valid provisions shall be strictly enforced, irrespective of the invalidity of any of the others.

TWELFTH: I hereby appoint my wife, RUTH C. ABRAMSON, as Personal Representative of this my Last Will and Testament. I hereby give to my Personal Representative the same powers with respect to my property during the period of administration of my estate, that my Trustees shall have with respect to property transferred to the trust established by this my Last Will and Testament; said powers to be exercised as my Personal Representative shall determine to be to the best interests of my estate.

THIRTEENTH: I hereby appoint my wife, RUTH C. ABRAMSON, my son, LAWRENCE MARCUS ABRAMSON, and my daughter, SARAJANE ABRAMSON MARELL, as Trustees of the trust created by this my Last Will and Testament. Any Trustee may resign at any time by giving written notice, specifying the effective date of such resignation, to the other Trustees. If a Trustee resigns or is unable to act, he or she shall not be replaced unless he or she is the final surviving Trustee. If the final surviving Trustee resigns, or is unable to

act, a corporation suthorized under the laws of any state or of the United States to administer trusts shall be appointed as successor Trustee, by an instrument delivered to such successor and signed by the then income beneficiaries of the trust, and such beneficiaries may direct the successor Trustee to accept the accounts of any former Trustee, in which event the successor Trustee shall have no responsibility therefor. The guardian or conservator of the estate of a beneficiary under legal disability, or the the parents or surviving parent of a minor beneficiary for whose estate no guardian has been appointed, may act for such beneficiary in making any appointment and giving any direction under this Article.

FOURTEENTH: Anything in this Will to the contrary notwithstanding, if my wife is the sole surviving Trustee, she shall not
be entitled to receive any principal distributions from any
portion of the trust which does not qualify for the marital
deduction without the prior consent of some individual having an
interest in the principal of such portion that is adverse to the
distribution of principal. Nothing herein shall be construed as
imposing any limitations on her right to distribute principal to
herself out of any portion of the trust which does qualify for the
marital deduction if such is permitted by the terms of the trust.
In the event some portion of the trust qualifies for such
deduction, and another portion does not, all principal
distributions shall be first made from the portion that does
qualify, until such time, if ever, as such qualifying portion is
exhausted.

IN WITNESS WHEREOF, I have hereunto set by hand and seal

STEPHEN ABRAHSON

. 9 .

ORB 6164 Ps 1726

This instrument, consisting of eleven numbered pages was signed, sealed, published and declared by STEPHEN ABRAMSON, as and for his Last Will and Testament, in the presence of us and each of us, and we at the same time, at his request, and in his presence, and in the presence of each other, believing him to be of sound mind, have hereunto subscribed our names as attesting witnesses, this May of May . 1989.

Palm Beach, FL 33480

A Marila & Marine residing at 2821 Melalauca Drive

West Palm Beach, FL 3340

STATE OF FLORIDA )
COUNTY OF PALM BEACH)

WE, STEPHEN ABRAMSON, ROBERT O. ROGERS and JUANITA I. WENMAN, the Testator and the witnesses respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned officer that the Testator signed the instrument as his Last Will and Testament and that he signed voluntarily and that each of the witnesses in the presence of the Testator, at his request, and in the presence of each other signed the Will as a witness and that to the best of the knowledge of each witness the Testator was at that time 18 or more years of age, of sound mind and under no constraining or undue influence.

Styl Myan Testages Witness

0RS 6164 Ps 1727

Marts Wormen

SUBSCRIBED AND SWORN TO before me by STEPHEN ABRAMSON, the Testator, and by ROBERT O. ROGERS, and JUANITA I. WENMAN, the

Macary Public Scare of Florida at Large My Commission Expires:

[NOTARIAL SEAL]

TO ST

OFFICIAL HOTARY SEALM MUNITA 1. HERVAH HY COMM. EXP. 8/18/92

RECORD VERIFIED
PALM BEACH COUNTY, FLA.
JOHN B. DUNKLE
CLERK CIRCUIT COURT