

LEGACY LAND ADVISORY

Estate Plan *Review*

PREPARED FOR

John & Mary Sample · Example for illustration

PREPARED BY

Avidity Capital Inc. · Hanford, California

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How Your Estate Plan *Works*



Everything flows into your **Revocable Living Trust**, a private container that holds your assets.



You both **keep full control** of those assets during your lifetimes.



If one of you becomes **incapacitated** (unable to manage affairs), someone you chose steps in.



At death, assets distribute **privately**, with no probate (the public court process).

Three Phases of the Plan

PHASE 1

Today

You control all assets, exactly as you do now. Nothing about daily life changes.



PHASE 2

Incapacity

A successor you named manages finances and healthcare on your behalf.



PHASE 3

Passing

The trust distributes your assets according to the instructions you set out.

What Assets Are Included



Primary residence

123 Main Street, Hanford, CA



Business & investment interests

Closely-held stock or LLC interests



Bank, brokerage & retirement accounts

Checking, savings, brokerage & 401(k)



Personal property & vehicles

Jewelry, furniture, vehicles & household items

IMPORTANT

Assets must be properly **titled in the trust** to be governed by this plan.

"Titling" simply means the legal owner of record is your trust, not you as individuals.

Key People in Your Plan

TRUSTORS & INITIAL TRUSTEES

John & Mary Sample

The creators of the trust, who manage it together today.

SUCCESSOR TRUSTEE

Alex Johnson

Steps in to manage the trust when neither of you can.

- ① If one spouse cannot serve, the **surviving spouse serves as sole trustee first**, then Alex Johnson, followed by a professional fiduciary.

Decision Makers



FINANCIAL POA

Your spouse

alt. Emily, Michael & Sarah

Manages money matters if you cannot, springing on incapacity.



HEALTHCARE AGENT

Your spouse

alt. Emily, Michael & Sarah

Makes medical decisions if you cannot.



EXECUTOR

Your spouse

alt. Alex Johnson

Carries out the pour-over will through the trust.

— Each spouse names the other first; their three children, **Emily, Michael & Sarah**, are the named alternates.

AT YOUR PASSING

Distribution Plan

WHILE ONE SURVIVES

The trust benefits the **surviving spouse**, who receives all income, may use principal for health and support, and may amend or revoke their own survivor's trust.

WHEN BOTH HAVE PASSED, SHARES FOR THE CHILDREN

EQUAL SHARES

The balance of the estate, divided equally



Emily, Michael & Sarah

SPECIFIC GIFTS

Heirlooms, jewelry & personal items as directed



Named beneficiaries

HELD UNTIL 25

Shares for beneficiaries under age 25



Managed by the trustee

What *If* Something Happens?

IF THE FIRST
SPOUSE PASSES

The trust splits into the **survivor's trust** and an irrevocable **bypass trust**, principal is drawn from the survivor's own trust first.

IF A CHILD IS
UNDER 25

That child's share is **held and managed by the trustee** until they reach age 25.

IF A CHILD PASSES
FIRST

That child's share passes to **their own children** (“by right of representation”).

Age-Based Control

IF BENEFICIARY IS

Under 25



Assets are **held in trust**, managed by the trustee on the beneficiary's behalf.



Distributions are made for **health, education, support, and maintenance** until age 25.

How Assets Flow



Special Provisions



At the first death, a **bypass trust** becomes **irrevocable**, preserving the family's share.



A **no-contest clause** discourages challenges by reducing a challenger's share to **\$1.00**.



The financial power of attorney is **springing**, it activates only once incapacity is certified in two written declarations.

"Springing" means a power that stays dormant until a specific event, here, certified incapacity, brings it into effect.

Action Steps

I

Confirm asset titling

Verify the home deed and accounts are titled in the name of the trust.

2

Update beneficiary designations

Align retirement accounts and life insurance with your estate plan instructions.

3

Share copies with key people

Make sure your trustee, agents, and attorney know where the documents are.

4

Schedule periodic reviews

Revisit the plan regularly so it keeps pace with life changes.

Your Advisory Team



FINANCIAL ADVISOR

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ESTATE PLANNING ATTORNEY

Your attorney

The law office that drafted your plan

Phone

Email

Office address
City, CA



PROFESSIONAL TRUSTEE

Your trustee

Named in your trust, if you chose one

Phone

Email

Office address
City, CA

In a family's own Estate Plan Review, this page lists the actual attorney who drafted the documents and the trustee named in them, with their contact details, so the people in key roles know who to call.

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