SAMPLE SUCCESSOR TRUSTEE AND REMOVAL CLAUSE

Trustee Removal and Appointment of Successor Trustee.

(a) Removal. Any Beneficiary to whom this Agreement grants the power to remove a Trustee may exercise that power only by a signed written instrument delivered to the Trustee being removed, and the removal takes effect only when a successor Trustee qualified under paragraph (b) has accepted the office in writing.

(b) Who may be appointed. Every Trustee appointed under this Article must be a bank or trust company organized under the laws of the United States or of any state and authorized to exercise trust powers. No Beneficiary may appoint himself or herself, any other Beneficiary, or any individual related to or employed by a Beneficiary. No entity may be appointed if a Beneficiary, a member of a Beneficiary's family, or any entity a Beneficiary controls owns an interest in it or holds the right to direct its trust decisions.

(c) Vacancy. If the office of Trustee is vacant and no person qualified under paragraph (b) accepts the office within sixty days, a court of competent jurisdiction shall appoint a successor Trustee qualified under paragraph (b). The Beneficiaries may not fill the vacancy by agreement among themselves.

(d) Precedence. This Article governs every power to remove or appoint a Trustee granted anywhere in this Agreement, and any removal or appointment made in violation of this Article is void. Nothing in this Article limits or alters the Settlor's designation of a Trustee or of a successor Trustee in this Agreement.