

H. Jenkins, Jr. hereby accepts his appointment as trustee, and agrees to hold title to the Real Estate and to collect and remit the income therefrom to the Bank in accordance with the Trust, this Agreement, the Employee Retirement Income Security Act of 1974, as amended, and other applicable state and federal laws.

ARTICLE II

Duties of the trustee

The duties of the trustee under this Agreement shall include:

- (1) holding title to the Real Estate while this Agreement is in force, executing a lease agreement or lease agreements affecting the Real Estate as landlord on behalf of the Trust, and carrying out the duties and obligations of the landlord thereunder;
- (2) collecting and remitting to the Bank any income from the Real Estate within a reasonable period of time after receipt of the same by the trustee;
- (3) sending, receiving and forwarding copies of all notices and correspondence to the Bank with respect to all leases affecting all or any portion of the Real Estate;
- (4) paying, or causing to be paid, with respect to the Real Estate and any other asset held pursuant to this Agreement, ad valorem taxes, governmental impositions and operating expenses with respect to the Real Estate or such other asset;
- (5) making, or causing to be made, with respect to the Real Estate and any other asset held pursuant to this Agreement, repairs and replacements necessary or desirable with respect to improvements thereon; and

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