

GENERATIONAL WEALTH:

A Comprehensive Guide

Process Documentation Worksheets & Full Documentation Manual



Using Trust

Rev 08/30/24

PREPARATORY DOCUMENTATION

10 Steps to handle a real estate transaction, from completing the Purchase Offer to opening Escrow, incorporating the various documents and forms you've mentioned:

Step 1: Complete the Purchase Offer and Receipt for Deposit

- **Action:** Start by filling out the Purchase Offer and Receipt for Deposit. This document can be used on its own or as an addendum to a state Department of Real Estate (DRE) approved Purchase Offer form.
- **Purpose:** The Purchase Offer outlines the terms and conditions under which you intend to buy the property. The Receipt for Deposit confirms the initial funds put down as a sign of good faith.

Step 2: Draft the Retainer Fee Agreement

- **Action:** Prepare the Retainer Fee Agreement for Services. This agreement outlines the fees for the services provided by the agent, attorney, or consultant helping with the transaction.
- **Purpose:** The Retainer Fee Agreement ensures that all parties are aware of the service charges involved in the transaction and agree to them upfront.

Step 3: Calculate the Monthly Investment (Payment) Schedule

- **Action:** Use the Monthly Investment (Payment) Schedule to determine the monthly payment obligations for the buyer. This schedule should include principal, interest, property taxes, insurance, and any other recurring costs.
- **Purpose:** This schedule provides a clear picture of the financial commitment involved, helping the buyer plan for future payments.

Step 4: Prepare the Cost Sheet - Estimate of Closing Charges

- **Action:** Fill out the Cost Sheet, which provides an estimate of all closing charges, including fees for escrow, title insurance, property taxes, and other related costs.
- **Purpose:** The Cost Sheet gives both the buyer and the seller a detailed overview of the financial aspects of closing the deal, preventing any surprises at the last minute.

Step 5: Compile the Worksheet (Net & Cost Sheet, Property Tax Chart & Data Compilation)

- **Action:** Complete the Worksheet, which includes the Net & Cost Sheet, Property Tax Chart, and Data Compilation. This document organizes all the financial data related to the transaction.
- **Purpose:** The Worksheet helps in comparing costs, understanding property tax implications, and ensuring that all data is compiled and analyzed accurately.

Step 6: Sign the Locator Fee Agreement with Check Sheet

- **Action:** If applicable, sign the Locator Fee Agreement, which outlines any fees associated with finding and locating the property. Attach the Check Sheet, which details the tasks completed and those remaining.
- **Purpose:** This agreement compensates any third parties who helped in finding the property and ensures that all tasks are tracked and completed on time.

Step 7: Review and Organize All Documentation

- **Action:** Review all the completed forms and documents to ensure they are accurate and organized. This includes the Purchase Offer, Retainer Fee Agreement, Monthly Investment Schedule, Cost Sheet, Worksheet, and Locator Fee Agreement.
- **Purpose:** Ensuring that all documentation is complete and correct helps to avoid delays and misunderstandings as the transaction progresses.

Step 8: Present the Purchase Offer to the Seller

- **Action:** Submit the completed Purchase Offer and accompanying documents to the seller for review. This step is crucial in getting the seller's acceptance and moving forward with the transaction.
- **Purpose:** Presenting a well-prepared Purchase Offer increases the likelihood of the seller accepting the terms, thus advancing the transaction.

Step 9: Obtain Seller's Acceptance and Finalize Agreements

- **Action:** Once the seller accepts the Purchase Offer, finalize all agreements, including any necessary signatures on the Retainer Fee Agreement, Locator Fee Agreement, and other documents.
- **Purpose:** This step confirms that both parties are in agreement, and all terms have been legally accepted and signed.

Step 10: Open Escrow

- **Action:** With the Purchase Offer accepted and all documents signed, proceed to open escrow by submitting the necessary documents and funds to the escrow company.
- **Purpose:** Opening escrow officially starts the process of transferring ownership, ensuring that all conditions are met before the final closing.

These 10 steps provide a clear roadmap for handling a real estate transaction from the initial offer to the opening of escrow, ensuring all necessary documents are properly prepared, reviewed, and executed.

FORMS INCLUDED IN THIS PROCESS OF DOCUMENTATION MANUAL

■ PROCESS OF DOCUMENTATION MANUAL - *Including Steps to Completion, charts and Fee Schedule*)

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■ FULL DOCUMENTATION MANUAL - (Begins on Page 36)

A pretty good affirmation:

My assets are secure and well-protected. I take wise and proactive steps to safeguard what I've worked hard to build. My diligence and foresight ensure the long-term safety and growth of my valuable resources..

Sarah G.
Sugar Land, TX.

"Imagine you're learning to buy a house. First, you see someone else doing it. Then, you say to yourself, 'I can do that too!' Next, you really believe in yourself. You keep telling yourself, 'I can buy a house, I can buy a house!' over and over again. If you do this a lot, before you know it, the information to learn how to buy will be in front of you'll be buying that home all by yourself! It's like magic - what you see, say, and believe can become real if you keep at it."

- KL

Using Trust , Assignment, Substitutions Using Trust System, Inc.

Pricing Schedule – Paralegal Documentation Assistance

		A	B	C
	Service Provided	In Texas	Trust Deed States O/S Texas	Mortgage States
1.	Title-Transfer Using Trust	\$199.00*	\$199.00*	\$199.00*
2.	Recording of Transfer Documentation	Handled by Grantor	Handled by Grantor	Handled by Grantor or Attorney
3.	Transfer Documentation	\$125.00	\$125.00	\$150.00
4.	Assignment of Beneficiary Interest	\$175.00 + \$50.00 for ea. bene. Beyond one	\$175.00 + \$50.00 for ea. bene. Beyond one	\$175.00 + \$50.00 for ea. bene. Beyond one
5.	Beneficiary Agreement	\$150.00 + \$50.00 for ea. bene. Beyond two	\$150.00+ \$50.00 for ea. Bene. Beyond two	\$150.00+ \$50.00 for ea. Bene. Beyond two
6.	Occupancy Agreement	\$150.00	\$150.00	\$150.00
7.	Simple Revocable Power of Attorney	\$150.00	\$150.00	\$150.00
8.	Rider or Addendum to Amend Original Documents	\$150.00 For more than 1 pg., Add \$25 per page.	\$150.00 For more than 1 pg., Add \$25 per page.	\$150.00 For more than 1 pg., Add \$25 per page.
9.	Monthly Trustee Fee	\$12.00 P-Mo. P. trust up to 3 Props, paid annually in advance	\$12.00 P. Mo., P. Prop., paid annually in advance	\$12.00 P. Mo., P. Prop., paid annually in advance
10.	Substitution of Beneficiary*	\$675.00	\$675.00	\$675.00
11.	Substitution of Trustee	N/C	N/C	N/C
12.	Title Re-conveyance by Trustee Prior to Scheduled Termination	\$250	\$250	\$250
13.	Re-Conveyance of Title Upon Scheduled Termination	\$150.00	\$150.00	\$150.00
14.	TO SET UP FORMS TO GET DOCUMENTS	Go TO WWW.USINGTRUST.COM , AND CLICK ON “FORM A TRUST AND OTHER DOCUMENTS”		

- ❖ * USING TRUST SYSTEM Trained Next friend Members entitled to discounts.
- ❖ This USING TRUST SYSTEM Fee Schedule Shall Supercede and replace All Others Durreliet Dated
- ❖ All Fees Subject to Change Without Notice

ATTACHMENT 1 (COMPLETED SAMPLE)**PURCHASE OFFER (or Addendum thereto) Re. Using Trust System New Title Using Trust Conveyance**

Property Address 1332 Filmore Street **City** Suger, TX. **Zip** 77541

—

I. THE OFFER:

A. For purposes of acquiring beneficial interest in a New Title Using Trust (hereinafter “The Trust”), in which a Next friend / non-profit corporate trustee acting for its members shall hold title to the subject trust property: *buyer* (hereinafter: *Offeror*) offers to *seller* (hereinafter: *Offeree*) a bona fide Purchase Offer for acquisition of such *personal property* [*beneficiary interest in a Using Trust System*]. This Purchase Offer (“the Offer”) is based upon a mutual agreement between Offeror and Offeree that the property’s Current Value is \$ 150,000.00 (the property’s “Mutually Agreed Value” or “MAV”). Upon acceptance by Offeree, the consideration for acquisition of beneficial interest shall be the sum reflected in Paragraph III below. The trust term shall begin

upon the anticipated Close of Escrow (“C.O.E.”) on 07 / 18 / 2024 and continue in force for a term of 5 YEARS (“3” IF BOX IS BLANK); at the end of which term, the Trust Property shall, for the benefit of, and at the sole direction, of the trust’s Beneficiaries (“Offeror and Offeree” herein), be sold by the Trust’s third (3rd) party Trustee. At the trust’s termination, following the *priority of distributions* shown here (1-5 below), the *net proceeds* derived from sale or other disposition of the property shall be distributed to the Beneficiaries in proportion to their respective percentages of beneficial interest held in the Using Trust System (Par. B):

1. **First distribution of proceeds** — All existing debt against the Trust Property shall be retired;
2. **Second distribution** — All costs of disposition, if any, shall be paid (i.e., RE commissions, escrow and transfer costs);
3. **Third** — All of Offeree’s initial contribution (e.g., equity at start and/or any non-recurring closing costs, not including R.E. Commissions) shall be refunded: which refundable amount is estimated to be \$ 26,774.50, [***Student Note: Total of Non-recurring Closing Costs, less final principal and interest payment (a “recurring cost”)--See Attachment #4]**]
4. **Fourth** — Any contribution/s made at inception of the agreement by Offeror/s (re. Par. III), and/or any sum/s mutually accepted thereafter to be so refundable (e.g., mutually agreed upon expenditures for *capital improvement or repairs*) shall be returned to Offeror;
5. **Fifth** — Any remaining sums (“net proceeds”) shall be divided among the Beneficiaries of the proposed New Title Using Trust in direct proportion to their respective percentages of beneficiary interest held, as reflected in Par. I-B below.

B. Offeror/s hereby propose/es to acquire a 90 % beneficiary interest in the subject trust (The Trust); while Offeree retains 10 % of the beneficiary interest therein, plus 100 % [**100% if blank**] of all/any equity in the Trust Property at inception, plus 0 % (**Zero if blank**) of any net proceeds to be derived from the sale or other disposition of the Trust Property at the scheduled termination of the proposed Co-beneficiary New Title Using Trust. [***Student Note: In this example, the Seller [Settlor Beneficiary] expects no income or future profits and is relinquishing all of its beneficiary interest at termination]**]

II. **MONTHLY OBLIGATION:** As a/the co-beneficiary/ies of The Trust, Offeror agrees to make monthly payments on the Trust Property throughout the agreement, in the approximate amount shown below, except for \$ _____ (**Zero if blank**) per-month, which sum [if any] shall be paid monthly by Offeree for months. **THE TOTAL MONTHLY OBLIGATION IS ESTIMATED HERE TO BE:**

- A. ☒ A **FIXED** monthly payment, which will fluctuate due only to possible adjustments in property tax assessment, or alterations in insurance premiums, or...
- B. ☐ A **VARIABLE** monthly payment which shall include the total amount of any fluctuating monthly costs, as may exist under the terms of an *Adjustable, Variable or Graduated Payment* financing program: which monthly obligation under “A” or “B” shall be inclusive of:

<input checked="" type="checkbox"/>	Prin. & Int. on 1 st Mtg Loan	[\$ <u>952.47</u>]				
<input checked="" type="checkbox"/>	Property Taxes (ann. div. by 12)	[\$ <u>150.00</u>]	Impounded?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Hazard Ins. (ann. div. by 12)	[\$ <u>51.27</u>]	Impounded?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Trustee Fee (ann. div. by 12)	[\$ <u>40.00</u>]				
<hr/>						
<input type="checkbox"/>	Private Mortgage Insurance (PMI)	[\$ _____]	Impounded?	Yes	<input type="checkbox"/> No	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Prin. & Int. on 2 nd Mtg Loan	[\$ <u>170.03</u>]				
<input type="checkbox"/>	Prin. & Int. on 3 rd Mtg Loan	[\$ _____]				
<input type="checkbox"/>	Wind/Flood/ EQ Ins. (ann. div. by 12)	[\$ _____]	Impounded?	Yes	<input type="checkbox"/> No	<input type="checkbox"/>
<input type="checkbox"/>	Tenant’s Renter’s Ins. (ann. div. by 12)	[\$ _____]	Usually not included in aggregate mo. pmt			
<input type="checkbox"/>	1 st Home Owners Association Dues	[\$ _____]				
<input type="checkbox"/>	2 nd Home Owners Association Dues	[\$ _____]				
<input type="checkbox"/>	Other _____	[\$ _____]				

ATTACHMENT 4 (COMPLETED SAMPLE)

NET/COST SHEET USING TRUST SYSTEM

Settlor (Last name only) Smith	Investor Last name only Weinberg	Resident (Last Name only) Jones
Property Address (St., No. & Unit #) 123 Fir St.,		City, State, Zip Sugar, Texas 91326
Preparer of This Form Kenneth LaMotte		Company (brokerage) Private Investor

A. Mutually Agreed-Upon Current Value (AT INCEPTION OF CO-BENEFICIARY USING TRUST SYSTEM):	\$ 150,000.00 <\$ 125,000.00>
B. TOTAL OF ALL ENCUMBRANCES ON (AGAINST) PROPERTY AT START:	\$ 25,000.00
C. NET EQUITY AT START (PRIOR TO CONTRIBUTION FROM BUYER):	

ITEM	TOTAL	Settlor	Investor Beneficiary	Resident Beneficiary
1. Escrow Fee (Name certified Company in all cases see Attachment #7)	\$ 1,000.00	\$ 333.33 <	\$ 333.33 <	\$ 333.33 <
2. Title ins. "date down" <input type="checkbox"/> New title insurance <input type="checkbox"/>	\$	\$ <	\$	\$
3. Lot Book Search <input type="checkbox"/> Preliminary title report <input checked="" type="checkbox"/>	\$ 150.00	\$ 150.00 <	\$	\$
4. Recording Fee/s **	\$ 25.00	\$ 25.00 <	\$	\$
5. Notary Fee	\$ 100.00	\$ 33.33 <	\$ 33.33 <	\$ 33.33 <
6. Termite Inspection: Report <input type="checkbox"/> Work <input type="checkbox"/> **	\$ 75.00	\$	\$ 37.50 <	\$ 37.50 <
7. Beneficiary Stmt <input type="checkbox"/> Stmt of Cond. <input type="checkbox"/> , or Offset. Stmt <input type="checkbox"/> **	\$ 75.00	\$ 75.00 <	\$	\$
8. Commissions to: [](Brkr)	\$	\$ <	\$	\$
9. Commissions to: [](Brkr)	\$	\$ <	\$	\$
10. Property Tax Pro-rations (+/-)	\$	\$ <	\$	\$
11. Refund/s from, or pro-rations of, existing impound account	\$	\$ <	\$	\$
12. Any pay-off of TD's (1st, 2nd, 3rd, etc.)	\$	\$	\$	\$
13. A. Haz. Ins. policy/pro-ratio (ALWAYS CNVERT TO NON-RES [LL] INS.)	\$	\$	+/- \$	\$
B. Tenants Renter's Ins. (personal effects and contents)	\$ 120.00	\$	\$	\$ 120.00 <
C. Home Warranty Policy (Initial Premium) **	\$ 300.00	\$	\$	\$ 300.00 <
14. Appraisal Fee <input type="checkbox"/> (or Realtor's CMA <input type="checkbox"/> (W.A. Guess <input type="checkbox"/>)) **	\$ 250.00	\$	\$ 250.00 <	\$
15. Back (past due) pmts, taxes, assessments (include penalties)	\$	\$ <	\$	\$
16. Credit Report/s (preferably 3 — 1 from each party to the other) **	\$ 75 (25.00 EA)	\$ 25.00 <	\$ 25.00 <	\$ 25.00 <
17. DN PMT DUE FM CO-BENE OR CAR'D AS EQUITY BY SETTLOR (SLR)	\$ 25,000.00	\$25,000.00 <	\$ <	\$ <
18. A. Final Mos. P&I Pmt Mtg (NOTE: P&I in arrears - Lease pmt in adv.)	\$ 1 122.50	\$ 1,122.50 <	\$	\$
B. Last Mo. Impnds ("if/when" seller makes the final P&I pmt) + Tr. Fee	\$ 241.27	\$	\$	\$ 241.27 <
C. 1 st Mo Co-Bene. Using Trust System Obligation, incl. Monthly Trustee Fee	\$ B & C above	\$ B & C above	\$ B & C above	\$ B & C above
19. Contingency Fund (min. 1 full mo. obligation always req'd) — incl. Tr. Fee	\$ 1,363.77	\$	\$	\$ 1,363.77 <
20. A. Revocable Trust Set-Up Fee	\$ 500.00	\$ 500.00 <	\$	\$
B. USING TRUST SYSTEM FACIL. FEE (See Schedule) 1% of M.A.V.	\$ 1,500.00	\$ 500.00 <	\$ 500.00 <	\$ 500.00 <
C. Broker's Trans. Fee (in add. to commis. Re. Attachment. #2, Par. #6)	\$	\$ <	\$ <	\$
21. Spec. Hndlg Fee (UPS, deliv., over night mail, photocopies, legal, etc.)	\$ 100.00	\$ 33.33 <	\$ 33.33 <	\$ 33.33 <
22. Prep. and Filing Notice of Fiduc. Respon. IRS Form #56	\$ 100.00	\$ 33.33 <	\$ 33.33 <	\$ 33.33 <
23. Paralegal Documentation Services	\$ 200.00	\$ 66.67 <	\$ 66.67 <	\$ 66.67 <
24. Misc. Charges, fees, deposits, penalties, etc: Escrow Pad, Spec. Delivery (USE REVERSE IF NECESSARY)	\$ 168.00	\$	\$ 84.00 <	\$ 84.00 <
TOTAL CLOSING COSTS	\$32,465.54	\$ 27,897.49	\$ 1,396.49	\$ 3,171.50
AMOUNT CURRENTLY ON DEPOSIT IN ESCROW		-\$	-\$	-\$ 1,000.00
USING TRUST SYSTEM RETAINER FEE PAID IN		-\$	-\$ 500.00	-\$
CLOSING COSTS (IF ANY) TO BE PAID BY PROMISSORY NOTE, OR BY OTHER GOOD OR SERVICES (E.G., RE COMMISSION)		-\$	-\$	-\$
AMOUNT BEING CARRIED AS EXISTING EQUITY		-\$ 25,000.00	-\$	-\$ 2,171.50
OTHER DISCOUNTS (SPECIFY)		-\$	-\$	-\$
NET AMOUNT TO BE BROUGHT IN TO CLOSE (CASHIER'S CHECK ONLY)		\$ 2,897.49	\$ 896.49	\$ 2,171.50

USING TRUST SYSTEM DOCUMENTATION CHECK LIST

Using Trust System

- ☐ Using Trust System
- ☐ Transfer Document - Grant Deed, Warranty Deed Quit Claim, Etc.)
- ☐ Directions to Trustee

Using Trust System With Assignment Of Beneficiary Interest

- ☐ Using Trust System - 3rd Party Trustee Using Trust System
- ☐ Transfer Document - Grant Deed, Warranty Deed Quit Claim, Bargain and Sale, Etc.
- ☐ Directions to Trustee - Binder with Nominee Trustee
- ☐ Assignment of Beneficiary Interest - Appointment of a Second Beneficiary (Co-Beneficiary) in the Using Trust System
- ☐ Beneficiary Agreement - Outlines duties and Respective Contributions to the Trust.
- ☐ Power of Attorney - If needed, or acceptable to the relinquishing party

The Simple Next friend / Co-Beneficiary Using Trust System Conveyance (TPCB...the "Do-It-Yourself " Version of the UsingTrust®")

- ☐ Using Trust System - 3rd Party Trustee New Title Using Trust
- ☐ Directions To Trustee - I.e., NFT Equities, a Non-Profit Corporation
- ☐ Directions to Collection Entity - I.e., NFT Equities, a Gratis Collection Entity
- ☐ Deed and any Necsry. Chg of Ownrsp Rpt - Grant Deed, Warranty Deed Quit Claim Deed, Bargain and Sale Deed, Etc.
- ☐ Assignment of Beneficiary Interest - Analogous to Nomination of a Remainder Agent
- ☐ Beneficiary Agreement - Analogous to "Partnership Agreement" Between Parties
- ☐ Power of Attorney - If needed, or Acceptable to the Relinquishing party

DOCUMENTATION CHECK LIST (Cont'd)

The Using Trust System As Facilitated by Using Trust System, Inc.

* = Prepared by USING TRUST SYSTEM

+ = Provided Investor or Realtor

<input type="checkbox"/>	+	Std. Purchase Offer and Receipt for Deposit	- State Sanctioned DRE Form, or Other Acceptable Sale and Acquisition Contract Form
<input type="checkbox"/>	+	Attachment #1	- Addendum to P. Offer (May stand alone for Non-Realtors)
<input type="checkbox"/>	+	Attachment #2	- Receipt for USING TRUST SYSTEM Retainer Fee and Good Faith Deposit
<input type="checkbox"/>	+	Attachment #3	- Monthly Cost Sheet (for use when payments are shared)
<input type="checkbox"/>	+	Attachment #4	- Settlement Cost Sheet and Cross-Foot for Settlement Officer
<input type="checkbox"/>	+	Attachment #5	- Variable Data Worksheet for Document Input
<input type="checkbox"/>	+	Escrow Check Sheet	- List of All Items Required for Closing and Documentation
	→	→	
<input type="checkbox"/>	*	Verification of Data Report	- For Review and Approval by all Parties Before Completion of Draft Documentation
<input type="checkbox"/>		1st Draft of Documents	- For Review by Parties Before Preparation of Final documents
<input type="checkbox"/>	*	Directions to Escrow	- For Preparation of Settlement Statement
<input type="checkbox"/>	*	Directions To Trustee	- I.e., NFT Equities, a Non-Profit Corporation
<input type="checkbox"/>	*	Directions to Collection Entity	- I.e., NFT Equities, a Gratis Collection Entity
<input type="checkbox"/>	*	Using Trust System Document	- 3 rd Party Trustee New Title Using Trust (single beneficiary)
<input type="checkbox"/>	*	Deed (Transfer Document)	- Grant Deed, Warranty Deed Quit Claim Deed, Bargain and Sale Deed, Etc Along With Any Necessary. Chg of Ownership Rpt.
<input type="checkbox"/>	*	Assignment of Beneficiary Interest	- Analogous to Nomination of a Remainder Agent
<input type="checkbox"/>	*	Beneficiary Agreement	- Analogous to "Partnership Agreement" Between Parties
<input type="checkbox"/>	*	Power of Attorney	- If needed, or Acceptable to the Relinquishing party
<input type="checkbox"/>	*	Escrow Instructions	- Issued by Settlement Official
<input type="checkbox"/>		Settlement Instructions	- Issued by USING TRUST SYSTEM
<input type="checkbox"/>	*	Settlement Statement	- Issued by Settlement Official

Letter of Direction to Trustee

TO: _____, Trustee of the _____

Trust No _____, which is dated ____/____/____.

All beneficiaries named hereunder to execute the enclosed hereby direct you

_____ concerning

Please retain a copy of the subject document and this Letter of Direction for the trust file,
and mail:

all originals to: _____

and _____

and _____

Executed and dated ____/____/____ .

Beneficiary

Beneficiary

Beneficiary

Beneficiary

Beneficiary

Beneficiary