

**AMENDED AND RESTATED
DECLARATION OF TRUST
OF THE
UNITED ORDER OF TEXAS**

The United Order of Texas is a religious Trust created by Declaration of Trust dated December 31, 2008. The Trustees hereby unanimously amend and restate the Declaration of Trust to read in its entirety as follows:

KNOW ALL MEN BY THESE PRESENTS: That we, the subscribers and Trustees hereto, have entered into an agreement and contract to create a Trust under which the appointed and constituted Trustees hereunder shall be empowered to operate as hereinafter set forth.

To this end the subscribers associate themselves together in the formation of a religious Trust for the purposes hereinafter stated, and without personal liability to the Members hereof or to the public. It is intended and proposed that all others than the subscribers hereto who may become Members in this association ipso facto agree to accept the terms of this instrument and Declaration of Trust to all intents and purposes as if they were the original subscribers hereto. Further, it is understood and agreed that we and such other Members as may hereafter come into said association are associated together merely and solely for the purpose of being cesti que trustents of the Trust hereby created.

The association shall be known as the United Order of Texas.

The United Order of Texas (hereinafter referred to as "The Order") is a religious society worshiping the Lord and living the Holy United Order. It exists to preserve and advance the religious doctrines and goals of The Fundamentalist Church of Jesus Christ of Latter-Day Saints, a religious society (hereinafter referred to as the "FLDS Church"). The doctrines and laws of the Holy United Order are found in the Book of Mormon, the Doctrine and Covenants, the Pearl of Great Price, and the Holy Bible; and are the guiding tenets by which the Trustees of the United Order of Texas shall act.

(Doctrine and Covenants 59:5-6)

5. "Wherefore, I give unto them a commandment, saying thus: Thou shalt love the Lord thy God with all thy heart, with all thy might, mind, and strength; and in the name of Jesus Christ thou shalt serve him.

6. "Thou shalt love thy neighbor as thyself."

(Doctrine and Covenants 29:34)

34. "Wherefore, verily I say unto you that all things unto me are spiritual, and not at any time have I given unto you a law which was temporal; neither any man, nor the children of men; neither Adam, your father, whom I created."

(Doctrine and Covenants 42:29-42, 53, 55)

29. "If thou lovest me thou shalt serve me and keep all my commandments.

30. "And behold, thou wilt remember the poor, and consecrate of thy properties for their support that which thou hast to impart unto them, with a covenant and a deed which cannot be broken.

31. "And inasmuch as ye impart of your substance unto the poor, ye will do it unto me; and they shall be laid before the bishop of my church and his counselors, two of the elders, or high priests, such as he shall appoint or has appointed and set apart for that purpose.

32. "And it shall come to pass, that after they are laid before the bishop of my church, and after that he has received these testimonies concerning the consecration of the properties of my church, that they cannot be taken from the church, agreeable to my commandments, every man shall be made accountable unto me, a steward over his own property, or that which he has received by consecration, as much as is sufficient for himself and family.

33. "And again, if there shall be properties in the hands of the church, or any individuals of it, more than is necessary for their support after this first consecration, which is a residue to be consecrated unto the bishop, it shall be kept to administer to those who have not, from time to time, that every man who has need may be amply supplied and receive according to his wants.

34. "Therefore, the residue shall be kept in my storehouse, to administer to the poor and the needy, as shall be appointed by the high council of the church, and the bishop and his council;

35. "And for the purpose of purchasing lands for the public benefit of the church, and building houses of worship, and building up of the New Jerusalem which is hereafter to be revealed—

36. "That my covenant people may be gathered in one in that day when I shall come to my temple. And this I do for the salvation of my people.

37. "And it shall come to pass, that he that sinneth and repenteth not shall be cast out of the church, and shall not receive again that which he has consecrated unto the poor and the needy of my church, or in other words, unto me—

38. "For inasmuch as ye do it unto the least of these, ye do it unto me.

39. "For it shall come to pass, that which I spake by the mouths of my prophets shall be fulfilled; for I will consecrate of the riches of those who embrace my gospel among the Gentiles unto the poor of my people who are of the house of Israel.

40. "And again, thou shalt not be proud in thy heart; let all thy garments be plain, and their beauty the beauty of the work of thine own hands;

41. "And let all things be done in cleanliness before me.

42. "Thou shalt not be idle; for he that is idle shall not eat the bread nor wear the garments of the laborer.***

53. "Thou shalt stand in the place of thy stewardship.***

55. "And if thou obtainest more than that which would be for thy support, thou shalt give it into my storehouse, that all things may be done according to that which I have said."

(Doctrine and Covenants 51:9, 19)

9. “And let every man deal honestly, and be alike among this people, and receive alike, that ye may be one, even as I have commanded you.***

19. “And whoso is found a faithful, a just, and a wise steward shall enter into the joy of his Lord, and shall inherit eternal life.”

(Doctrine and Covenants 70:7-10, 14)

7. “Nevertheless, inasmuch as they receive more than is needful for their necessities and their wants, it shall be given into my storehouse;

8. “And the benefits shall be consecrated unto the inhabitants of Zion, and unto their generations, inasmuch as they become heirs according to the laws of the kingdom.

9. “Behold, this is what the Lord requires of every man in his stewardship, even as I, the Lord, have appointed or shall hereafter appoint unto any man.

10. “And behold, none are exempt from this law who belong to the church of the living God;***

14. “Nevertheless, in your temporal things you shall be equal, and this not grudgingly, otherwise the abundance of the manifestations of the Spirit shall be withheld.”

(Doctrine and Covenants 78:1-8, 11)

1. “The Lord spake unto Joseph Smith, Jun., saying: Hearken unto me, saith the Lord your God, who are ordained unto the high priesthood of my church, who have assembled yourselves together;

2. “And listen to the counsel of him who has ordained you from on high, who shall speak in your ears the words of wisdom, that salvation may be unto you in that thing which you have presented before me, saith the Lord God.

3. “For verily I say unto you, the time has come, and is now at hand; and behold, and lo, it must needs be that there be an organization of my people, in regulating and establishing the affairs of the storehouse for the poor of my people, both in this place and in the land of Zion—

4. “For a permanent and everlasting establishment and order unto my church, to advance the cause, which ye have espoused, to the salvation of man, and to the glory of your Father who is in heaven;

5. “That you may be equal in the bonds of heavenly things, yea, and earthly things also, for the obtaining of heavenly things.

6. “For if ye are not equal in earthly things ye cannot be equal in obtaining heavenly things;

7. “For if you will that I give unto you a place in the celestial world, you must prepare yourselves by doing the things which I have commanded you and required of you.

8. “And now, verily thus saith the Lord, it is expedient that all things be done unto my glory, by you who are joined together in this order;***

11. “Wherefore, a commandment I give unto you, to prepare and organize yourselves by a bond or everlasting covenant that cannot be broken.”

(Doctrine and Covenants 82:11-21)

11. “Therefore, verily I say unto you, that it is expedient for my servants*** to be bound together by a bond and covenant that cannot be broken by transgression, except judgment shall immediately follow, in your several stewardships—

12. “To manage the affairs of the poor, and all things pertaining to the bishopric both in the land of Zion and in the land of Kirtland;

13. “For I have consecrated the land of Kirtland in mine own due time for the benefit of the saints of the Most High, and for a stake to Zion.

14. “For Zion must increase in beauty, and in holiness; her borders must be enlarged; her stakes must be strengthened; yea, verily I say unto you, Zion must arise and put on her beautiful garments.

15. “Therefore, I give unto you this commandment, that ye bind yourselves by this covenant, and it shall be done according to the laws of the Lord.

16. “Behold, here is wisdom also in me for your good.

17. “And you are to be equal, or in other words, you are to have equal claims on the properties, for the benefit of managing the concerns of your stewardships, every man according to his wants and his needs, inasmuch as his wants are just—

18. “And all this for the benefit of the church of the living God, that every man may improve upon his talent, that every man may gain other talents, yea, even an hundred fold, to be cast into the Lord's storehouse, to become the common property of the whole church—

19. “Every man seeking the interest of his neighbor, and doing all things with an eye single to the glory of God.

20. “This order I have appointed to be an everlasting order unto you, and unto your successors, inasmuch as you sin not.

21. “And the soul that sins against this covenant, and hardeneth his heart against it, shall be dealt with according to the laws of my church, and shall be delivered over to the buffetings of Satan until the day of redemption.”

(Doctrine and Covenants 85:3-5)

3. “It is contrary to the will and commandment of God that those who receive not their inheritance by consecration, agreeable to his law, which he has given, that he may tithe his people, to prepare them against the day of vengeance and burning, should have their names enrolled with the people of God.

4. “Neither is their genealogy to be kept, or to be had where it may be found on any of the records or history of the church.

5. “Their names shall not be found, neither the names of the fathers, nor the names of the children written in the book of the law of God, saith the Lord of Hosts.”

(Doctrine and Covenants 104:1-2, 11-16, 54-57)

1. “Verily I say unto you, my friends, I give unto you counsel, and a commandment, concerning all the properties which belong to the order which I commanded to be organized and established, to be a united order, and an everlasting order for the benefit of my church, and for the salvation of men until I come—

2. “With promise immutable and unchangeable, that inasmuch as those whom I commanded were faithful they should be blessed with a multiplicity of blessings;***

11. “It is wisdom in me; therefore, a commandment I give unto you, that ye shall organize yourselves and appoint every man his stewardship;

12. “That every man may give an account unto me of the stewardship which is appointed unto him.

13. “For it is expedient that I, the Lord, should make every man accountable, as a steward over earthly blessings, which I have made and prepared for my creatures.

14. “I, the Lord, stretched out the heavens, and built the earth, my very handiwork; and all things therein are mine.

15. “And it is my purpose to provide for my saints, for all things are mine.

16. “But it must needs be done in mine own way; and behold this is the way that I, the Lord, have decreed to provide for my saints, that the poor shall be exalted, in that the rich are made low.***

54. “And again, a commandment I give unto you concerning your stewardship which I have appointed unto you.

55. “Behold, all these properties are mine, or else your faith is vain, and ye are found hypocrites, and the covenants which ye have made unto me are broken;

56. “And if the properties are mine, then ye are stewards; otherwise ye are no stewards.

57. “But, verily I say unto you, I have appointed unto you to be stewards over mine house, even stewards indeed.”

(Acts 4:32)

32. “...the multitude of them that believed were of one heart and of one soul; neither said any of them that ought of the things which he possessed was his own; but they had all things common.”

(4 Nephi 2-3)

2. “...there were no contentions and disputations among them, and every man did deal justly one with another.

3. “And they had all things common among them; therefore there were not rich and poor, bond and free, but they were all made free, and partakers of the heavenly gift.”

We do now covenant and declare that the following are and shall be the fundamental articles of said Trust by which we and all persons who at any time hereafter may transact any business with said Trustees pertaining to the Trust shall be bound and concluded. The contracting parties and Trustees herein signify and confirm by their signatures to this instrument their acceptance of all its terms and their obligation to perform and discharge the duties imposed by this instrument.

ARTICLE I

To carry out its religious mission, the Trust shall be administered by a Board of Trustees consisting of not less than three nor more than seven Trustees.

James Jerry Jessop

Isaac S. Jeffs

Keith W. Dutson Sr.

are hereby designated Trustees of said Trust, with powers and duties as hereinafter set forth. The Board of Trustees shall act by majority vote, except where herein otherwise provided, of the number of Trustees in office and shall have all rights, powers, and privileges of an absolute owner in carrying out the purposes of the Trust, including without limitation all powers of trustees under Texas law. The Board of Trustees may designate representatives to perform one or more of these functions on its behalf.

ARTICLE II

The Trust is designated a non-profit association. The purpose and object of the United Order of Texas is primarily for religious worship which includes an actual living of the Holy United Order by Members accepted into The Order. The central principle of The Order requires the gathering together of faithful religious Members on consecrated and sacred lands to establish as one pure people the Kingdom of God on earth under the guidance of the FLDS Church leadership. The Order shall have a common treasury and may appoint stewardships including stewardships to engage in any and all kinds of legitimate business ventures including but not limited to agriculture and manufacturing; provided however, that such endeavors or adventures of whatsoever name or nature shall in no wise conflict with the Constitution of the United States, or the constitutional laws of the land where such operations may be carried on. The proceeds arising from the operations of the trust estate shall be used by the Trustees for the performance of this Trust as herein provided, and any increase arising from the conduct of the business shall become part of the corpus of the trust fund so that there shall be no distributable profits. The Board of Trustees, in their sole discretion, shall administer the Trust consistent with its religious purpose to provide for FLDS Church members who are accepted as Members of The Order, according to their wants and their needs, insofar as their wants are just (Doctrine and Covenants, Section 82:17-21); and provided, that the Trustees may render needed assistance to the FLDS Church or to non-members of the Trust when deemed wise by them.

A consecration is an unconditional dedication to a sacred purpose. Consecration of real estate to the United Order of Texas is accomplished by a deed of conveyance. All properties now included or hereafter added to the trust estate are consecrated and sacred

lands, dedicated to the Trust's religious purpose. Accepted Members also consecrate their time, talents, money, and materials to the Lord's storehouse, to become the property of The Order. All consecrations made to or for the benefit of the United Order of Texas are dedicated to the sacred purpose of The Order and without any reservation or claim of right and/or ownership. Improvements made by persons living on Trust property become the property of the Trust and are consecrations to the Trust. Members may own, in their own names, any real or personal property not consecrated to The Order.

The privilege to be a Member of the United Order of Texas and/or live upon the lands and in the buildings of The Order is by appointment to that mission by the FLDS Church from among its members and is granted, and may be revoked at any time, by the Board of Trustees. Those who seek that privilege commit themselves and their families to live their lives according to the principles of The Order and the FLDS Church, and they and their families consent to be governed by the FLDS Church leadership and the Board of Trustees. They must consecrate their lives, times, talents and resources to the building and establishment of the Kingdom of God on earth under the direction of the FLDS Church leadership and its appointed officers. They must act in the spirit of charity.

(Moroni 7:6-10, 45-48)

6. "For behold, God hath said a man being evil cannot do that which is good; for if he offereth a gift, or prayeth unto God, except he shall do it with real intent it profiteth him nothing.

7. "For behold, it is not counted unto him for righteousness.

8. "For behold, if a man being evil giveth a gift, he doeth it grudgingly; wherefore it is counted unto him the same as if he had retained the gift; wherefore he is counted evil before God.

9. "And likewise also is it counted evil unto a man, if he shall pray and not with real intent of heart; yea, and it profiteth him nothing, for God receiveth none such.

10. "Wherefore, a man being evil cannot do that which is good; neither will he give a good gift.***

45. "And charity suffereth long, and is kind, and envieth not, and is not puffed up, seeketh not her own, is not easily provoked, thinketh no evil, and rejoiceth not in iniquity but rejoiceth in the truth, beareth all things, believeth all things, hopeth all things, endureth all things.

46. "Wherefore, my beloved brethren, if ye have not charity, ye are nothing, for charity never faileth. Wherefore, cleave unto charity, which is the greatest of all, for all things must fail—

47. "But charity is the pure love of Christ, and it endureth forever; and whoso is found possessed of it at the last day, it shall be well with him.

48. "Wherefore, my beloved brethren, pray unto the Father with all the energy of heart, that ye may be filled with this love, which he hath bestowed upon all who are true followers of his Son, Jesus Christ; that ye may become the sons of God; that when he shall appear we shall be like him, for we shall see him as he is; that we may have this hope; that we may be purified even as he is pure. Amen."

They must live in the true spirit of brotherhood.

(Mathew 22:36-40)

36. "Master, which is the great commandment in the law?"
37. "Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind.
38. "This is the first and great commandment.
39. "And the second is like unto it, Thou shalt love thy neighbour as thyself.
40. "On these two commandments hang all the law and the prophets."

There shall be no disputations among them.

(3 Nephi 18:34)

34. "And I give you these commandments because of the disputations which have been among you. And blessed are ye if ye have no disputations among you."

The Trust is most firmly committed to these goals. People who are granted the privilege to be a Member of the United Order of Texas and/or the privilege to live on Trust property acknowledge by their presence upon the land their acceptance of the terms of this Trust. Parents may consent to membership on behalf of their minor children to the extent allowed under applicable state law.

Membership in the United Order of Texas and/or use of property owned by The Order is not and does not become a right or claim of anyone who may benefit in any way from the Trust. The Order shall not be liable for liabilities of or claims against the FLDS Church or any Trustee or Member of The Order. Use of Trust property must be within rules and standards set by the Board of Trustees. The Board of Trustees may require individuals and their families to relocate to different locations on Trust property or to share a location with others. Participants who, in the opinion of the Board of Trustees, do not honor their commitments to live their lives according to the principles of The Order and the FLDS Church shall remove themselves from the Trust property and, if they do not, the Board of Trustees may, in its discretion, cause their removal. Any Member thus expelled or excluded from the association shall have no claim upon the trust estate. At such time as they reform their lives and the lives of their family members and are again approved by the FLDS Church and the Board of Trustees they may again be permitted to participate in The Order. The Board of Trustees shall have no obligation whatsoever to return all or any part of consecrated property back to a consecrator or to his or her descendants.

ARTICLE III

James Jerry Jessop, Trustee, shall be President of the Board of Trustees until incapacitated by removal, resignation or death, with powers, duties, authority, and rights to do all things necessary in assisting to carry out the purposes of said Trust as herein set out, or as in the future amended; and said Trustee, as President, is hereby empowered to execute any necessary documents on behalf of the Trust, including contracts, deeds, transfers, assignments, and other instruments to pass title to property and otherwise bind the trust estate; provided, however, that in the absence of the President, or in the event of his inability to act through sickness or otherwise, the Vice-President may act in such capacity, unless the Board of Trustees designates one or more Trustees to execute such documents.

ARTICLE IV

Isaac S. Jeffs, Trustee, shall act as Vice-President of the Board of Trustees.

ARTICLE V

Keith W. Dutson Sr., Trustee, is to fill the office of Secretary of the Board of Trustees and shall perform such other duties as are necessary and usually performed by such officer in a similar association.

ARTICLE VI

The Trustees aforesaid and their successors in trust shall hold the legal title to all property that may be acquired by or for the benefit of the trust estate, and shall have and exercise exclusive management, disposition and control of the same via the appointed officers of The Order, subject to the terms and provisions of this Declaration of Trust.

ARTICLE VII

The sole Manager and Treasurer of The Order is an appointed Bishop and/or Counselor(s) to the Bishop. The Bishop and Bishop's Counselors are appointed or dismissed by the FLDS Church and are upheld by a unanimous vote of the Board of Trustees.

ARTICLE VIII

The Trustees shall not be liable to the Members of the trust estate for error in judgment in prosecuting and managing the Trust property, interest or business, nor for any act done by them, or either of them in the course of such management, nor for omission to act in the execution of this Trust, except such acts as involve bad faith on their part; nor shall they be liable for the acts or omissions of each other, nor for the acts or omissions of any officer, agent, or servant appointed or acting for them; and should they or either of them be held personally liable on any tort or breach of contract in the prosecution of the trust estate, they or either of them will be entitled to indemnity out of the trust estate to the extent of such liability.

ARTICLE IX

A Trustee or other officer may be removed at any time without cause or for cause, misconduct, or breach of trust, by a majority vote of said Trustees at a special meeting called for the purpose; and upon the death, removal, or resignation of any Trustee or other officer, such vacancy or vacancies may be filled by the remaining members of the Board of Trustees. Dismissal of a Trustee shall be by a written notice, effective on the date the notice is executed. A Trustee may resign by written notice to the Board of Trustees. Each successor Trustee shall have the same powers and authority, and shall be subject to the same duties and restrictions, as predecessor Trustees.

ARTICLE X

Membership in the trust estate is established for the signers of this instrument, and who form the first Board of Trustees, by the conveyance to the trust estate of One Thousand Dollars (\$1,000) and the following described property, situated in Schleicher County, State of Texas, to-wit:

East Half (E/2) of Section Seventy One (71), Block LL GC&SF RR Co., being Three Hundred Twenty (320) Acres, more or less, Abstract One Hundred Eighty (180), and

1,371 acres of land, more or less:

Section 69, Block LL, Abstract 179, GC&SF RR Co. Survey,

Section 70, Block LL, E. B. Cozzens, original grantee,

Abstracts: A-1428 A-1431 A-1433 A-1434 A-1436 A-1437 A-1439

LESS 3.85 acres of land, more or less, out of the northeast corner of Section 70, heretofore conveyed by J. L. Cheek, et ux, to J. L. McElroy by deed dated July 16, 1926, recorded in Volume 24, page 79, Deed Records of Schleicher County, Texas, said 3.85 acres of land described by metes and bounds as follows:

BEGINNING at the NE corner of Section 70 as established by Edgar C. Saunders, State Surveyor,

THENCE West 237 1/2 feet to a stake for corner,

THENCE South 654 1/2 feet to a stake for corner,

THENCE in a Easterly direction 317 1/2 feet to a stake for corner

THENCE North 562 feet to the PLACE OF BEGINNING.

W/2 of NW/4 of Section 86, Block LL, Abstract 1435, E. B. Cozzens, original grantee

Surface of W/25' strip of E/271.9 ac of Section 67, Block LL A-178, GC&SF RR

Evidence of membership shall be shown in the books of the association. A membership certificate may, in the discretion of the Trustees, be issued to each Member; but such certificate shall not be transferable, nor carry title to any of the property or assets of the Trust.

ARTICLE XI

Membership in said association shall not entitle the Member to any part of the Trust property, either personal, real or mixed; nor to the right to call for a partition or division of the same, or for an accounting; nor shall any Member have any right to amend, alter, or terminate this Trust.

Further, it is declared that any person who shall accept a membership in said Trust ipso facto becomes a party to this Declaration of Trust and shall be bound and concluded by all the terms and conditions thereof.

The Trustees shall have no power to bind the Members personally, and the Members and all parties whosoever extending credit to, contracting with, or having any claim against the Trust, shall look only and solely to the funds and property of the Trust for payment under such contract or claim, or for any debt, damage, judgments or decrees, or for any money or property that may otherwise be due or become due or payable to them from the Trustees, so that neither the Trustees or Members at any time shall be personally liable by themselves, or by any contract which any officer or agent of the Trust shall give or enter into.

ARTICLE XII

The United Order of Texas is intended to meet the requirements of Internal Revenue Code Section 501(d) as a religious or apostolic association; accordingly, the Members hereof must include (each year at the time of filing their returns) in their gross income their entire pro rata shares of the taxable income of this association; additionally, contributions to The Order are not deductible as charitable contributions.

ARTICLE XIII

This Declaration of Trust may be amended at any time and from time to time by unanimous vote of the Trustees.

ARTICLE XIV


This Trust is intended to be of perpetual duration, but may be terminated sooner by the Trustees, if they deem it advisable so to do, in the best interest of the trust estate and the Members thereof.

ARTICLE XV

The death of a Member or Trustee during the continuance of this Trust shall in no wise operate to terminate the Trust, nor shall it entitle the legal representative of the deceased Member or Trustee to an accounting or to take any action in court or elsewhere against the Trustees.

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#Pages 12 #NFPages 1
10/30/2009 8:24:34 AM
Filed & Recorded in
Official Public Records of
County and District Clerk
Peggy Williams
Fees 60.00
State of Texas
County of Schleicher, Texas

I hereby certify this instrument was FILED in
file number sequence on the date and time
stamped by me, and was duly RECORDED in the
Official Public Records of Schleicher County,
TX in Vol 469 Page 400


By Deputy