



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

November 14, 1988

Douglas D. Stone, Jr.  
132 Lynwood Lane  
Ormond Beach, FL 32074

Dear Mr. Stone:

Aircraft N8037Y

The records for this aircraft have been referred to this office for review. We are Assistant Chief Counsel for the Aeronautical Center, who give legal advice to the FAA Aircraft Registry.

In connection with our review, we have considered your Douglas Dacre Stone Revocable Trust of 1987. In it, you are the Grantor, the Trustee and the Beneficiary. Our understanding is that in such situations, there is a merger of interests, and there is no trust. The trust will survive this scrutiny, however, if there are contingent beneficiaries. We note that according to the trust, upon your death, the assets of the trust are to be distributed to your wife, son and stepdaughter (Section 3.1 of the Trust). However, this does not take place unless and until the trust is dissolved.

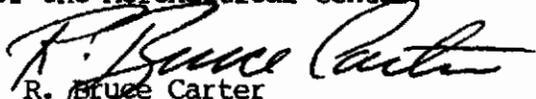
Accordingly, in order for us to accept the Application for Aircraft Registration and register the aircraft in your name as trustee, we must have some assurance either that Florida allows one person to occupy all three positions in the trust, or that you have modified the trust so that there are clear differences in the positions, or at least the contingent beneficiaries are appropriately identified.

When the trust is modified, if it is, we will need a new Affidavit of the Trustee that all beneficiaries are U.S. citizens in accordance with Federal Aviation Regulations, Section 47.7(c)(2)(ii).

We appreciate your attention to this matter. We will take no further action on this aircraft registration until we have heard from you.

Sincerely,

Joseph R. Standell  
Assistant Chief Counsel  
for the Aeronautical Center

By:   
R. Bruce Carter  
Attorney Adviser

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