



COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

BTA1217  
(04/08)

GUIDE FOR ARTICLES OF RESTATEMENT OF THE  
ARTICLES OF TRUST OF A DOMESTIC BUSINESS TRUST

ARTICLES OF RESTATEMENT OF

(business trust's name as currently on record with the SCC)

The undersigned, on behalf of the business trust set forth below, pursuant to Title 13.1, Chapter 14, Article 2 of the Code of Virginia, states as follows:

1. The name of the business trust immediately prior to the filing of these articles of restatement is (name currently on record with the SCC).
2. The text of the [Amended and] Restated Articles of Trust is attached.
3. The restatement of the articles of trust was adopted in accordance with the articles of trust and the governing instrument of the business trust.
4. The restatement of the articles of trust was adopted on (date).

Executed in the name of the business trust by:

<u>(signature)</u>	<u>(date)</u>
<u>(printed name)</u>	<u>(title)</u>
<u>(business trust's SCC ID no.)</u>	<u>(telephone number (optional))</u>

*(The articles must be executed by a trustee or by an officer of the business trust, or if the business trust is in the hands of a receiver, trustee, or other court-appointed fiduciary, by that fiduciary.)*

**PRIVACY ADVISORY:** Information such as social security number, date of birth, maiden name, or financial institution account numbers is NOT required to be included in business entity documents filed with the Office of the Clerk of the Commission. Any information provided on these documents is subject to public viewing.

**THIS FORM IS TO BE USED AS A GUIDE ONLY.**

**SEE INSTRUCTIONS ON THE REVERSE**

## INSTRUCTIONS TO FORM BTA1217

Guideform BTA1217 has been produced by the Commission as a guide to help you prepare the business trust's articles of restatement. Please note, however, that a marked-up version of this guideform **will not** be accepted. You must separately type and prepare your articles, using this form as a guide, inserting appropriate information and omitting all inapplicable text (like the header, seal of the Commission and the italicized portions).

The articles must be in the English language, typewritten or printed in black on white, opaque paper 8 1/2" by 11" in size, legible and reproducible, and free of visible watermarks and background logos. A minimum of 1" must be provided on the left, top and bottom margins and 1/2" on the right margin. Use only one side of a page.

You can download this guideform from our website at [www.scc.virginia.gov/clk/formfee.aspx](http://www.scc.virginia.gov/clk/formfee.aspx).

The restatement may include one or more amendments to the articles of trust. If an amendment is included, title the restated articles "Amended and Restated Articles of Trust."

Attach the (amended and) restated articles of trust to the articles of restatement.

The restatement must be adopted by the sole trustee, a majority of the trustees, or as otherwise provided in the articles of trust or the governing instrument. See § 13.1-1217 of the Code of Virginia.

The certificate must be signed by a trustee or officer of the business trust, or if the business trust is in the hands of a receiver, trustee or other court appointed fiduciary, by that fiduciary. See § 13.1-1202 of the Code of Virginia.

***It is a Class 1 misdemeanor for any person to sign a document he or she knows is false in any material respect with intent that the document be delivered to the Commission for filing. See § 13.1-1205 of the Code of Virginia.***

These articles may not be filed with the Commission until all fees and penalties to be collected by the Commission under the Virginia Business Trust Act have been paid by or on behalf of the business trust; provided, however, that an assessed annual registration fee does not have to be paid if these articles are **filed** with an effective date that is on or before the due date of the annual registration fee payment. See § 13.1-1255 of the Code of Virginia.

Submit the original, signed articles to the Clerk of the State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218-1197, (Street address: 1300 East Main Street, Tyler Building, 1<sup>st</sup> Floor, Richmond, Virginia 23219), along with a check for the filing fee in the amount of **\$25.00**, payable to the State Corporation Commission. **PLEASE DO NOT SEND CASH.** If you have any questions, please call (804) 371-9733 or toll-free in Virginia, (866) 722-2551.

### NOTE

The format suggested by this form to make the restated articles of trust an attachment to the articles of restatement contemplated by § 13.1-1217 is not mandatory. Other formats are acceptable, including articles of restatement that sets forth both the information required for the articles of restatement and the restated articles of trust within the body of the articles of restatement.

The registered office and/or registered agent cannot be changed by filing articles of restatement. This change must be accomplished by filing a statement of change of a registered office and/or registered agent on form BTA1221. A request for this form can be made via the Commission's website at <http://www.scc.virginia.gov/clk/ElectronicFormRequest.aspx> or by contacting the Clerk's Office of the State Corporation Commission at the telephone numbers shown above.