

**AFFIRMATIVE STATEMENT**  
**ICMA 401(a) PLAN AND TRUST**

Plan Number : 10-8232

Name of Employer: City of Apache Junction

State: Arizona

As a duly authorized agent of the above named Employer, I hereby:

- 1) Amend and restate the profit sharing plan (the "Plan") in the form of:  
  
The ICMA Retirement Corporation Governmental Profit Sharing 401(a) Plan & Trust.
- 2) I specify that the assets of the Plan shall be held in trust, with the Employer serving as trustee ("Trustee"), for the exclusive benefit of the Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the exclusive benefit of the Plan participants and their beneficiaries.
- 3) I affirm that the Employer hereby agrees to serve as Trustee under the Plan.

Date: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth H. Riley  
Human Resources Director

\_\_\_\_\_  
Signature