

**AMENDMENT NO. 4  
TO THE  
RESTATED RETIREMENT PLAN OF THE  
TILE INDUSTRY RETIREMENT SAVINGS TRUST FUND  
(As Amended and Restated Effective January 1, 2014)**

The Board of Trustees of the Tile Industry Retirement Savings Trust Fund desires to amend the Restated Retirement Plan as Amended and Restated effective January 1, 2014 by amending the provisions of the Plan to address the priority of preference beneficiaries of a deceased Participant who dies without a designated beneficiary.

1. Effective for distributions on and after January 1, 2019, Article 5, Section 5.03 is hereby amended by adding the following new sub-section 5:

**5. Death Benefits - No Designated Beneficiary**

“In the event that a deceased Participant has no designated beneficiary, or their designated Beneficiary is no longer alive, benefits shall be distributed to the surviving person or persons in the first of the following classes of successive preference Beneficiaries in which a member survives the Participant:

- a. His or her spouse
- b. His or her children, including legally adopted children,
- c. His or her parents, and
- d. His or her brothers and sisters.

In determining such person or persons, the Trustees may rely upon an Affidavit by a member of any of the classes of preference Beneficiaries. Payment based upon such Affidavit shall be full acquittance of any benefit payable under the Plan and release of liability against the Board of Trustees unless, before the payment is made, the Trustees have received written notice of a valid claim by some other person. If two or more persons in a class become entitled to benefits as preference Beneficiaries, they shall share

equally. If no preference beneficiaries survive the Participant, then the Participant's account shall be distributed to the Participant's estate in accordance with applicable state law.

Any death benefit payable to a minor under age 18 may be paid to the legally appointed guardian of the minor or, if there be no such guardian, to such adults as have, in the opinion of the Trustees, assumed the custody and principal support of said minor."

2. All other terms and conditions of the Restated Retirement Plan shall remain in full force and effect.

Executed this 15<sup>th</sup> day of January, 2019 at West Covina, California.

Board of Trustees  
Tile Industry Retirement Savings Trust Fund

By: 

Chairman

By: 

Secretary