



Sample Will 5

MARRIED (WITH MINOR CHILDREN)

THIS IS THE LAST WILL AND TESTAMENT OF ME... *Brian John Cook*.....
OCCUPATION... *Farmer*.....
OF... *45 Reef Street, Seaford, Victoria, 3111. Husband of Barbara Sue Cook*.....
..... (*hereafter called my spouse*).....

REVOCATION

I REVOKE ALL FORMER WILLS AND TESTAMENTARY DISPOSITIONS MADE BY ME
AND I DECLARE THIS TO BE MY LAST WILL.

AGE OF MAJORITY

THE AGE OF MAJORITY FOR THE PURPOSE OF THIS WILL IS.....*21*.....YEARS OF AGE.

EXECUTOR & TRUSTEE

I APPOINT AS EXECUTOR/S AND TRUSTEE/S MY SPOUSE, (HEREAFTER CALLED
SIMPLY MY TRUSTEE/S)

IF MY SPOUSE IS UNABLE OR UNWILLING TO ACT IN THAT CAPACITY THEN I
APPOINT... *Kate Nancy Brown*.....

OF... *23 May Street, Mayfield, Vic. 3563*..... OCCUPATION... *Florist*.....

AND... *Frank Harold Brown*.....

OF... *23 May Street, Mayfield, Vic. 3563*..... OCCUPATION... *Farmer*.....

SPECIFIC PROVISION

I GIVE FREE OF DEBTS, TESTAMENTARY AND FUNERAL EXPENSES AND LIABILITIES
OF ANY KIND TO MY TRUSTEE FOR THE NAMED BENEFICIARIES HEREIN:

1. *My motor vehicle to Mary-Anne Jones of Marytown, Victoria*.....
2. *My violin to my sister Jane Gladys Smith*.....
3. *The money held in my name in the Commonwealth Bank Brighton to my*
brother David William Cook.....

DISPOSITION OF RESIDUARY ESTATE

AFTER PAYMENT OF MY JUST DEBTS, TESTAMENTARY AND FUNERAL EXPENSES AND
ANY TAXES OR DUTIES PAYABLE AS A RESULT OF MY DEATH, I GIVE MY ENTIRE
REMAINING ESTATE NOT PREVIOUSLY DISPOSED OF UNDER ANY PRIOR CLAUSE (MY
RESIDUARY ESTATE) TO MY TRUSTEES FOR MY SPOUSE; IF HE/SHE DIES BEFORE
ME THEN I GIVE MY RESIDUARY ESTATE TO SUCH OF THEM MY CHILDREN WHO
ATTAIN MAJORITY AND IF MORE THAN ONE AS TENANTS IN COMMON IN EQUAL
SHARES. IF ANY OF MY CHILDREN DIE BEFORE ME LEAVING A CHILD OR CHILDREN
THEN SUCH CHILD OR CHILDREN WHO ATTAIN MAJORITY WILL TAKE AND IF MORE
THAN ONE AS TENANTS IN COMMON IN EQUAL SHARES THE SHARE WHICH THEIR
PARENT WOULD HAVE TAKEN

..... *If all of them die before me then I give my Residuary*
Estate to such of my parents and the parents of my spouse who survive me and if more
than one as tenants in common in equal shares. if both of my parents die before me,
then for such of my brothers and sisters who survive me and if more than one as tenants
in common in equal shares.....

GUARDIAN

IF MY SPOUSE DIES BEFORE ME THEN I APPOINT AS THE GUARDIAN OF MY MINOR CHILD OR CHILDREN. *My brother David William Cook*

IF HE/SHE THEY ARE/IS UNABLE OR UNWILLING TO ACT AS THE GUARDIAN OF SUCH CHILD OR CHILDREN THEN I APPOINT AS THE GUARDIAN OF SUCH CHILD OR CHILDREN *My Spouse's sister Mary Louise Adams*

EDUCATION, MAINTENANCE

IN ADDITION TO ANY OTHER POWERS MY TRUSTEES HAVE, THEY MAY AT ANY TIME USE THE WHOLE OR PART OF THE INCOME AND/OR CAPITAL OF ANY BENEFICIARY'S VESTED OR CONTINGENT SHARE OF MY ESTATE FOR THAT BENEFICIARY'S MAINTENANCE, EDUCATION OR BENEFIT.

EXECUTION & ATTESTATION

DATED THE *27 May 1997*

SIGNED: *Brian Cook*

WE THE UNDERSIGNED WERE BOTH PRESENT AT THE SAME TIME AND SAW THE TESTATOR SIGN THIS WILL AND THEN WE SIGNED IT OURSELVES IN THE TESTATOR'S PRESENCE:

SIGNATURE OF 1ST WITNESS..... *Peter William*

(PRINT ALL DETAILS)

FULL NAME OF 1ST WITNESS..... *Peter David William*

ADDRESS: *14 Spencer Street*

Milltown Victoria 3428

OCCUPATION: *Taxi Driver*

SIGNATURE OF 2ND WITNESS..... *John Thompson*

(PRINT ALL DETAILS)

FULL NAME OF 2ND WITNESS..... *John Paul Thompson*

ADDRESS: *125 River Street*

Rosewood Victoria 3655

OCCUPATION: *Builder*