

# Last Will & Testament

THIS IS THE LAST WILL AND TESTAMENT of me JOHN SMITH of Rose Cottage 22 Treetop Lane Chigwell Essex and I HEREBY REVOKE all former Wills and testamentary dispositions made by me.

1 I APPOINT my wife JENNIFER SMITH and PAUL SMITH of 71 Avenue Road Chelsea London to be the Executors and Trustees of this my Will

THE expression "my Trustees" used in this my Will shall mean the Trustee or Trustees for the time being of this my Will whether original or substituted or added

2 I APPOINT PAUL SMITH of 71 Avenue Road Chelsea London and JEAN SMITH of 71 Avenue Road Chelsea London jointly to be the guardians of my minor children after the death of my wife

3 I GIVE the following specific legacies free of inheritance tax:-

(i) my gold watch to TOMMY SMITH of 71 Avenue Road Chelsea London but only if my spouse has died before me

(ii) my silver watch to my sister-in-law JEAN SMITH of 71 Avenue Road Chelsea London but only if my spouse has died before me

4 I GIVE the following cash legacies free of inheritance tax:-

(i) To my nephew TOM SMITH of 99 Little Harbour Lane Littlehampton Sussex £1000 (one thousand pounds) but only if my spouse has died before me

(ii) To my niece TINA SMITH of 22 Moss Road Manchester £1000 (one thousand pounds)

5 I GIVE the following charitable cash legacies:-

(i) To BRITISH RED CROSS of 9 Grosvenor Crescent London £1000 (one thousand pounds) but only if my spouse has died before me

(ii) To CANCER RESEARCH UK of 61 Lincoln's Inn Fields London £1000 (one thousand pounds)

6 I GIVE (subject to the payment of inheritance tax (if any) attributable thereto but free of mortgage or charge) all that my interest at the date of my death in 98 Lodge Lane Birmingham Warwickshire to DAVID SMITH of 66 Hubbard Road Chelsea London but only if my spouse has died before me

7 SUBJECT TO and after payment of my debts and funeral and testamentary expenses and the legacies and devises given by this my Will or by any codicil hereto and all tax and other duty payable on or by reason of my death I GIVE all my estate of whatsoever kind and wheresoever situate not specifically disposed of by this my Will or any codicil hereto including any property over which I may have a general power of appointment or disposition by will (hereinafter called "my residuary estate") to my Trustees UPON TRUST to sell call in and convert the same into money at such time or times and in such manner as my Trustees shall in their absolute discretion think fit without being liable for loss and to hold the net proceeds of such sale calling in and conversion and any ready money belonging to me at my death ON TRUST as to both capital and income as follows:-

(a) Upon trust for my said wife JENNIFER SMITH absolutely provided that she survives me by thirty days but if she shall die in my lifetime or shall not survive me for the period of thirty days or if the foregoing gift fails for any reason then

(b) Upon trust for such of my child or children as shall survive me and attain the age of 21 years and if more than one in equal shares absolutely PROVIDED THAT if any of my children shall die in my lifetime or after my death but before attaining a vested interest in my estate leaving a child or children who shall attain the age of 18 years such child or children shall take by substitution and if more than one in equal shares absolutely the share or interest in my residuary estate which such deceased child of mine would have taken had he or she survived me and attained a vested interest under this my Will

8 IF the trusts hereinbefore declared concerning my residuary estate shall fail entirely then from the date of such failure I DIRECT that my residuary estate shall be held upon trust as to both capital and income for LISA SMITH of New Lane Newmarket Suffolk absolutely

9 The Standard Provisions of the Society of Trust and Estate Practitioners (1st Edition) shall apply with the deletion of paragraph 5 and Section 11 of the Trusts of Land and Appointment of Trustees Act 1996 (consultation with beneficiaries) shall not apply

10 ANY person who does not survive me by at least thirty days shall be deemed to have predeceased me for the purpose of ascertaining the devolution of my estate and the income thereof

11 I DESIRE that my body be buried and the expense thereof shall be a first charge on my estate

12 I EXPRESS the following wishes:-

(i) I wish to thank everyone who has been kind to me throughout my life

IN WITNESS whereof I have hereunto set my hand

Date:

Signature:

Signed by the above Testator JOHN SMITH as and for his last Will and Testament in the presence of us both present at the same time together who then at his request in his presence and in presence of each other hereunto subscribed our names as witnesses

**Witness 1**

**Witness 2**

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

Name (print) \_\_\_\_\_

Name (print) \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

Occupation \_\_\_\_\_