

Dated the 13th day of August 2019

WILL OF GEORGE IVON UKICH

**BAY LAW OFFICE
SOLICITORS
BLOCKHOUSE BAY**

THIS IS THE LAST WILL of me **GEORGE IVON UKICH** of Auckland, Retired.

Revocation of prior wills and codicils

1. I revoke all earlier wills and codicils made by me.

Executors and trustees

2. In the event of my wife **SMILJKA MARIA UKICH** surviving me for a period of fourteen (14) days from and inclusive of the date of my death then:
 - (a) I appoint my wife **SMILJKA MARIA UKICH** (hereinafter called "my Trustee") as executrix and trustee of this my Will.
 - (b) I give devise and bequeath the whole of my estate both real and personal of whatsoever nature and wheresoever situate subject to the payment thereof of my debts funeral and testamentary expenses to my wife **SMILJKA MARIA UKICH** for her own use and benefit absolutely.
3. In the event of my wife **SMILJKA MARIA UKICH** not surviving me for a period of fourteen (14) days as aforesaid then:
 - (a) I appoint my daughters **MELITTA VINKA UKICH** and **GINA TEREZA HALE** (hereinafter called "my Trustees") as executrices and trustees of this my Will.
 - (b) I give devise and bequeath the whole of my estate both real and personal of whatsoever nature and wheresoever situate subject to the payment thereof of my debts funeral and testamentary expenses to such of my said daughters as shall survive me and if more than one then equally as tenants in common **PROVIDED HOWEVER** that if either of my said daughters predecease me leaving children of theirs who survive me then such last mentioned children shall take and if more than one equally between the share under this my Will which their mother would have taken if such mother had survived me.

Definitions

4. In the following clauses:
- (a) "Deed" means the deed of trust dated 9th June 2004 as amended from time to time;
 - (b) "my Family Trust" means the **G S Family Trust** established by the Deed.

Forgiveness of debt

5. In consideration of my natural love and affection for the primary beneficiaries of my Family Trust I forgive any debt or debts owed to me by the trustees of my Family Trust and release the trustees of my Family Trust from payment of such debt or debts.

Transfer of power to appoint and remove trustees of my Family Trust

6. Pursuant to clause 16.2 of the Deed I nominate **MELITTA VINKA UKICH** and **GINA TEREZA HALE** to jointly hold the power of appointment and removal of trustees of my Family Trust or if one of them has died before me I nominate the survivor of them to hold the power of appointment and removal of trustees of my Family Trust.

Powers of my trustees

7. All discretions and powers vested in my trustees by this will shall be exercised in the absolute and uncontrolled discretion of my trustees from time to time, upon such terms and conditions and in such manner as my trustees may decide, and all decisions and actions made or taken in the exercise of those discretions and powers and all other decisions and determinations whatever made by my trustees under the terms of this will shall be final and binding on everyone.
8. My trustees, as well as exercising all statutory and other powers vested in trustees, may:

- (a) sell and call in all or any of the assets of my estate;
- (b) retain for any period all or any of the assets of my estate in the form they are in, notwithstanding that any such asset may be or may become of a wasting, speculative or reversionary nature;
- (c) invest any funds forming part of my estate, whether or not at the time in a state of investment, in any property and vary any such investment from time to time;
- (d) let any asset forming part of my estate, accept surrenders of leases, erect, demolish and repair buildings and other improvements, carry out any repairs, alterations, improvements and maintenance to or upon any property forming part of my estate, generally manage and control the assets of my estate as if my trustees were the beneficial owners of such assets, and determine whether the cost of any such work is to be charged against or paid from the capital or from the income of my estate;
- (e) borrow moneys for any purpose relating to the trusts of this will and give security over any asset or assets of my estate.

Remuneration of my trustees

9. Any executor or trustee of this will being engaged in any profession or business may act in that capacity in the administration of my estate, and shall be entitled to charge and be paid all reasonable and proper charges for all services rendered, business transacted, responsibility involved, time expended and all acts done by that executor or trustee or by the firm or entity of which that executor or trustee is a partner, director, member, employee or associate in connection with the administration of my estate, including acts not strictly of a professional, business or technical nature which an executor or trustee could have done personally.

Exclusion of liability

10. No trustee of this will shall be liable for any loss not attributable to the dishonesty of that trustee, or to the wilful commission or omission by that trustee of an act known to that trustee to be a breach of trust, and in particular no trustee shall be bound to take any proceedings against a co-trustee for any breach or alleged breach of trust committed by such co-trustee.

Conflicts of interest

11. My trustees and each of them shall be entitled to act and to exercise the powers and discretions hereby conferred upon them and in their, his or her personal capacity and in any other capacity to contract or otherwise deal with the others of my trustees, even if:
- (a) any one or more of my trustees in his or her personal capacity, or as director of or shareholder in any company, or as trustee of any other estate or trust or in any other way may be the owner of, interested in or in any way concerned or associated with any property, interest, or other matter or thing whatever which my trustees may propose to acquire, dispose of, lease, or in any way deal with;
 - (b) their, his or her interests or duty in any particular matter or matters may conflict with their, his or her duty as a trustee of my estate.

IN WITNESS WHEREOF I have hereunto subscribed my name this 13 day of

August Two thousand and nineteen (2019)

SIGNED by the Testator the said)

GEORGE IVON UKICH)

in our presence and attested by us)

in his presence:)

Glucial

Witness: *CDL* Witness: *M. Mehta*

Witness name: *COLIN DAVE* Witness name: *Mona Mehta*

Occupation: *J.P.* Occupation: *Librarian*

Address: *Colin Dave JP Reg: 99284*
Mangere, Auckland
Justice of the Peace
for New Zealand

Address: *5-7 Church Road, Mangere Bridge*
Library.