

Dated 20 April 2021

Last will of

MICHELLE ANNE FINLAY

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LAST WILL

THIS WILL is made by me, **MICHELLE ANNE FINLAY** of 123 Smith Street, Bayview Heights in the State of Queensland.

- 1) I revoke all Wills and previous testamentary acts.
- 2) I declare my body available for anatomical, therapeutic, medical or scientific purposes.
- 3) It is not important to me that if I die overseas my body be brought back to Australia.
- 4) Where:
 - a) (i) one or more persons have died;
 - (ii) a person has died and one or more deaths are presumed; or
 - (iii) two or more deaths are presumed; and
 - b) the order of deaths, whether proved or presumed, is uncertain;

this will is to be construed as if the deaths, whether proved or presumed, had taken place in the following manner: first, the oldest; then, after a period of 1 day, the second oldest; then, after a period of 1 day, the third oldest; and so on to the youngest.

- 5)
 - 1) Where any beneficial disposition of property is made to a person who does not survive me for a period of 30 days the disposition is treated as if that person had died before me.
 - 2) (i) In this will, any gift which depends on the beneficiary surviving me by a specified period or attaining a specified age is contingent and does not vest in the beneficiary unless and until he or she has survived the specified period or attained the specified age; and

Testator

Witness 1

Witness 2

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(ii) Income produced by the gift between my death and vesting of the gift accumulates to the gift.

6) If **MICHAEL JON FINLAY** (my husband) does not survive me, I appoint **JUNE BEVERELY SMITH** of 999 Small Road, Smallville in the State of Queensland, guardian of my minor children.

7)

1) I appoint as my executor and trustee my husband.

2) If he refuses or is unable to act as my executor and trustee I appoint **JUNE BEVERELY SMITH** of 999 Small Road, Smallville in the State of Queensland.

8)

1) My Executors or any of them may, in addition to accepting any gift given to them in this will, apply to the court for commissioner for their pains and trouble.

2) Gifts to persons who are named as my executors are not dependant on those persons acting as executors or trustees.

9) My executors hold my estate on trust:

1) To give the residue of my estate to my husband;

2) Subject to the preceding trusts:

i. Subject to subparagraph (ii), divide it equally among those of my children that survive me;

ii. If a person referred to in subparagraph (i) has already died or does not survive me or dies before attaining a vested interest, then those children having attained or on attaining their respective majorities take equally the remaining share or shares.

10)

1) If any superannuation (including the proceeds of any life policy) are paid to my estate then my Executors are to pay that superannuation to my husband

2) If my husband does not survive me:

i. If my children are under the age of 21, then any superannuation payments are to be held in trust to be divided equally among those of my children.

Testator

Witness 1

Witness 2

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- ii. If my children are aged over 21, then any superannuation payments are to be divided equally among those of my children.
- iii. If a person referred to in subparagraphs (i) and (ii) has already died or does not survive me then those children having attained or on attaining their respective majorities take equally the remaining share or shares.

Dated this _____ day of _____ in the year two thousand and twenty-one (2021).

SIGNED by the Testator as)
 her last Will and)
 Testament in the presence)
 of us both present at the)
 same time who at her)
 request in her presence)
 and in the presence of)
 each other have hereunto)
 subscribed our names as)
 attesting witnesses)

Testator

Witness 1: _____

Full name: _____

Occupation: _____

Address: _____

Witness 2: _____

Full name: _____

Occupation: _____

Address: _____

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