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**LAST WILL AND TESTAMENT**

**OF**

**JOHN DOE**

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# LAST WILL AND TESTAMENT

of

**John Doe**

This is the Last Will and Testament of John Doe of 12 Main Street, Dublin, Co. Dublin.

1. I hereby revoke all former Wills, codicils and other testamentary dispositions at any time heretofore made by me and declare this to be my last Will.
2. I am not married. I have one child namely Maria. I do not have any living grandchildren. If I do not, under the terms of this Will, leave property to my child, named above, my failure to do so is intentional.
3. I appoint Peter Pan Solicitors of Ocean Street, Neverland (hereinafter called "the Professional Trustee") and Peter Doe of 16 Main Street, Cork (hereinafter jointly referred to as "my Executors") to be executors and trustees of this my Will and I declare that the Professional Trustee is so appointed upon the terms and conditions and with and subject to the powers and provisions set forth in the Professional Trustee's last published regulations which apply where the Professional Trustee acts as executor and in force at the date thereof to the intent that same shall apply and have effect as if set forth herein. The expression "Executors" wherever used in this my Will shall, unless otherwise stated, mean the person or persons from time to time acting in the office of executor and trustee of this my Will, and wherever the singular or masculine are used throughout this Will, the same shall be construed as meaning the plural or feminine or body corporate (and vice versa) where the context so requires.
4. I desire that my body be cremated in the crematorium at Mount Jerome Cemetery & Crematorium, Dublin. I further direct that my ashes be I wish my ashes to be scatterd on Balcarrick Beach in Donabate.
5. I give the sum of €100 to my cousin Paul Simons of 345 Old Street, Waterford absolutely. If Paul Simons shall not survive me or refuses to accept this gift then I give €100 to my cousin Sarah Simons of 345 Old Street, Waterford absolutely.
6. I give, devise and bequeath all future royalties, rights to receive royalties and copyright of the Three Roads Music Album to Rachel Jones of Old Castle West, Wicklow absolutely.
7. I release and forgive Fiona Newman of Ocean View, Galway and should Fiona Newman predecease me Fiona Newman's personal representatives and estate from the debt of €400 and from all interest due in respect thereof.
8. As to all the rest, residue and remainder of my estate of whatsoever nature and wheresoever situate I give devise and bequeath the same to my sister Amy Rogers of 670 Cedarwood View, Kerry for Amy Rogers's own use and benefit absolutely. If the said Amy Rogers predeceases me or refuses to accept this gift then in that event I give devise and bequeath all the rest, residue and remainder of my estate to Peter Doe of 91 Old Drive, Waterford for Peter Doe's own use and benefit absolutely.
9. In addition to all statutory powers allowable to executors, my executors shall have the following powers:
  - (i) to exercise the power of appropriation under Section 55 of the Succession Act, 1965 without serving any of the notices or obtaining any of the required consents;
  - (ii) to buy any asset of my residuary estate;

- (iii) to apply for the benefit of any beneficiary under the age of 21 years as my Executors shall think fit the whole or any part of the capital of my residuary estate to which that beneficiary is entitled or may in future be entitled and on becoming absolutely entitled my Executors shall bring into account any payments received under this clause; and
  - (iv) to invest and change investments freely as if my executors were the absolute owners beneficially entitled and to invest in unsecured interest free loans or other non income-producing assets including property for occupation or use by any beneficiary.
10. I appoint MY GUARDIAN of ADDRESS and MY GUARDIAN2 of ADDRESS as guardians of my infant children and conservators of the person of each of my infant children.
  11. If, at the time of my death, any of my children are still minors, I appoint MY GUARDIAN of ADDRESS as their property guardian for the purpose of managing any property belonging to them until they reach the age of 18 years. If MY GUARDIAN is unable or unwilling to act as their property guardian, then I appoint MY GUARDIAN2 of ADDRESS to act as their property guardian instead.
  12. All income received after my death shall be treated as income of my estate regardless of the period to which it relates and the statutory rules concerning apportionment and the rules in Howe -V- Dartmouth and Allhusen -V- Whittell shall not be applied.
  13. I declare that any executor and/or trustee (if any) for the time being of this my Will or of any codicil hereto who is a solicitor or engaged in any other profession shall be entitled to make and receive in all such charges and emoluments for business whether of an ordinary professional or other character done by him or any partner of his in relation to the administration of my estate or the execution of the trusts of this my Will or any codicil hereto as he would have been entitled to make and receive in respect of such business if he had not been an executor and/or trustee.
  14. I declare that no executor or trustee of this Will shall be liable for any loss not attributable to their own dishonesty or to the wilful commission by them of any act known to be a breach of their duties and obligations as executor or trustee.
  15. I direct my Executors to pay my enforceable unsecured debts and funeral expenses, the expenses of my last illness, and the expenses of winding up my estate in accordance with standard probate procedures.
  16. I DECLARE that no advancement within the meaning of Section 63 of the Succession Act 1965 shall be brought into account in the distribution of my estate.

IN WITNESS HEREOF, I have hereunto signed my name this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

John Doe \_\_\_\_\_  
 Testator

Signed and acknowledged by the above-named Testator as and for his last will and testament in our presence both of us being present at the same time who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses.

\_\_\_\_\_  
 Signature of Witness No. 1  
 \_\_\_\_\_  
 Printed Name of Witness  
 \_\_\_\_\_

\_\_\_\_\_  
 Signature of Witness No. 2  
 \_\_\_\_\_  
 Printed Name of Witness  
 \_\_\_\_\_

Address (line 1) of Witness

\_\_\_\_\_  
Address (line 2) of Witness

\_\_\_\_\_  
Address (line 3) of Witness

\_\_\_\_\_  
Address (line 4) of Witness

\_\_\_\_\_  
Occupation

Address (line 1) of Witness

\_\_\_\_\_  
Address (line 2) of Witness

\_\_\_\_\_  
Address (line 3) of Witness

\_\_\_\_\_  
Address (line 4) of Witness

\_\_\_\_\_  
Occupation