

# DRAFT WORDING FOR WILL OR FAMILY TRUST



## A) A GIFT FROM YOUR ESTATE IN YOUR WILL

THIS WILL

Made by ANDREW JOHN BROWN of Tauranga, Retired

Dated: \_\_\_\_\_

I CANCEL my earlier Wills.

IF my wife MARY JOAN BROWN survives me by fourteen days I give the whole of my estate to her and appoint her my executrix but if she does not survive me by fourteen days the following provisions shall apply.

I APPOINT my brother JAMES RONALD BROWN and CLIVE ANDREW SMITH of Tauranga, Chartered Accountant (“my Trustees”) as my executors and trustees.

I GIVE my personal chattels (as defined in the Administration Act 1969) to my brother JAMES RONALD BROWN and I ask (without in any way creating a trust or other equitable obligation) that he distribute them in accordance with any list I may deposit with my Will or hand to him before my death and if there be no such list then in accordance with any wishes I may have made known to him.

MY Trustees shall hold the rest of my estate on trust either to retain or sell it and

- a) To pay my debts and funeral related expenses, my Trustees’ administration and executorship expenses and any duty payable on my estate.
- b) To transfer 50% of the residue to my brother JAMES RONALD BROWN if he survives me; and if he does not survive me then to divide that 50% equally among whoever of his children are living at the date of my death.
- c) To transfer the other 50% of the residue to THE ACORN FOUNDATION to be paid into the “Andrew and Mary Brown Fund” (which my wife and I established) so that it may be dealt with by the trustees of the Foundation in accordance with the terms of that fund.

I DIRECT that the receipt of the Secretary or other proper officer of the Acorn Foundation shall be a sufficient discharge to my Trustees.

ANY Trustee of this Will engaged in a trade or profession shall be entitled to be paid fees for work done by that Trustee or that Trustees’ firm on the same basis as if that Trustee were not a Trustee but were employed by my Trustees.

SIGNED by )

ANDREW JOHN BROWN )

In our presence and attested )

by us in his presence: )

## B) A GIFT FROM A FAMILY TRUST

*If your assets are primarily held in a Family Trust and your gift will be made from the Trust, insert the following clause into your Trust Deed:*

After we have both died, it is our wish that you pay or transfer .....% of the Trust’s net assets to the Acorn Foundation to be paid into the “(name of the fund) Fund” which we have established so that it may be dealt with by the trustees of the Foundation in accordance with the terms of that Fund.

