

DATED: 14 JUNE 2017

**LAST WILL AND TESTAMENT OF
DAVID RONALD COLE**

DEBORAH FAY SALVEMINI
Solicitor

PLAYFORD LEGAL
1 Clark Terrace
SEATON SA 5023

Telephone: 8252 3993
Email: admin@playfordlegal.com.au

I certify this to be a true
copy of the original

Signed: DS Salvemini
Dated: 15-6-17
Deborah Fay Salvemini
A Commissioner for taking Affidavits
in the Supreme Court of South Australia

L Code: L2262
P Code: P9810

I certify this to be a true
copy of the original

Last Will and Testament

Signed: David Cole
Dated: 15-6-17
Deborah Fay Salvemini
A Commissioner for taking Affidavits
in the Supreme Court of South Australia

Date: 14 June 2017

Willmaker

- A. This will is made by me **DAVID RONALD COLE** of 53 The Boulevard Parafield Gardens 5107 in the State of South Australia.

1. Revocation

I revoke all previous testamentary dispositions.

2. Appointment of Executors and Trustees

- 2.1 I appoint my son **Andrew James Cole** of 34 Moss Street Parafield Gardens 5107 in the State of South Australia and my step daughter **Carly Marie Hunt** of 21 Chang Avenue Lloyd 2650 in the State of New South Wales as my executors and trustees.

- 2.2 My executors means the persons named or referred to in clause 2.1 while acting as my personal representatives and trustees for the time being.

- 2.3 (1) Subject to any express direction in this will as to payment of my debts, my executors will pay out of my Estate:

- (a) my debts;
- (b) my funeral and testamentary expenses;
- (c) succession and other duties payable on my estate;
- (d) determine (in the event of my executors disposing of or being deemed to have disposed of property) from which part or parts of the capital or income of my estate they will pay any income tax liability flowing from the disposal or deemed disposal; and for that purpose they may determine what is capital and what is income, but I express the wish that, if it seems appropriate to my executors to do so, proceeds of such a disposal be resorted to in the first instance; and

David Cole
Witness

Deborah Fay Salvemini
Witness

David Cole
Willmaker

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- (e) any other expenses associated with my death or the administration of my estate.
- (2) I express the wish that my executors make available and give to those of my beneficiaries who inherit any property all documents relevant to that property or the assessment of tax relating to that property.

3. Estate to Executors on Trust

3.1 My executors hold my estate on trust:

Specific Gifts

3.2 If my wife **Lynne Marie Cole** has already died or does not survive me by 30 days and I have, pursuant to the right of survivorship, taken sole proprietorship of our shared home held as joint tenants wheresoever situated, to give 50% of the proceeds of the sale of said jointly purchased residence in equal shares to my step-daughter **Carly Marie Hunt** of 21 Chang Avenue Lloyd 2650 in the State of New South Wales and my step-son **Matthew James Hunt** of 11 Hawke Street Albert Park 5014 in the State of South Australia.

- (1) If my step-daughter Carly Marie Hunt has already died or does not survive me or dies before attaining a vested interest, leaving children who survive me and have attained or attain the age of 25 years then those children having attained or on attaining 25 years take equally the share which their parent would otherwise have taken.
- (2) If my step-daughter Carly Marie Hunt has already died or does not survive me or dies before attaining a vested interest, without leaving children who survive me and have attained or attain the age of 25 years then my step son Matthew James Hunt takes the share which Carly Marie Hunt would otherwise have taken.
- (3) If my step-son Matthew James Hunt has already died or does not survive me or dies before attaining a vested interest, leaving children who survive me and have attained or attain the age of 25 years then those children having attained or on attaining 25 years take equally the share which their parent would otherwise have taken.
- (4) If my step-son Matthew James Hunt has already died or does not survive me or dies before attaining a vested interest, without leaving children who survive me and have attained or attain the

Deborah Fay Salvemini
Witness

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age of 25 years then my step-daughter Carly Marie Hunt takes the share Matthew James Hunt would otherwise have taken.

3.3 To give all my jewellery to my son **Andrew James Cole** of 34 Moss Street Parafield Gardens 5107 in the State of South Australia.

(1) If my son **Andrew James Cole** has already died or does not survive me or dies before attaining a vested interest, then to give to my grandson **Lachlan Andrew Cole** having attained or on attaining 25 years of age the gift that his father would otherwise have taken.

(2) If both my son **Andrew James Cole** and grandson **Lachlan Andrew Cole** has already died or does not survive me or dies before attaining a vested interest, then to give to my granddaughter **Grace Pamela Cole** having attained or on attaining 25 years of age the gift that her father would otherwise have taken.

3.4 To give all the jewellery of my deceased wife Pamela Joy Cole to my granddaughter **Grace Pamela Cole** upon her attaining 25 years of age.

3.5 To give the sum of \$100,000 (one hundred thousand dollars) to my son **Ryan David Cole**.

(1) If my son **Ryan David Cole** has already died or does not survive me or dies before attaining a vested interest, then this gift forms part of the residue of my estate.

3.6 Subject to the preceding trusts if my wife **Lynne Marie Cole** survives me by 30 days my executors must give to my wife Lynne Marie Cole my personal effects in my principal residence at my death.

(1) 'personal effects' means my tangible personal property except –

- (i) property used exclusively for business purposes;
- (ii) banknotes or coins
- (iii) property held as a pledge or other form of security;
- (iv) property (such as gold bullion or uncut diamonds) –
 - (A) in which I have invested as a hedge against inflation or adverse currency movements; and
 - (B) which is not an object of household, personal, use, decoration or adornment;
- (v) an interest in real property.

(Kale)

Deborah Fay Salvemini

[Signature]

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Signed: Deborah Fay Salvemini

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Deborah Fay Salvemini

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Gift of Residuary Estate

Subject to the preceding trusts:

3.7 to give the whole of my residuary estate to my son **Andrew James Cole** of 34 Moss Street Parafield Gardens 5107 in the State of South Australia.

- (1) If my son **Andrew James Cole** has already died or does not survive me or dies before attaining a vested interest, leaving children who survive me and have attained or attain 25 years of age then those children having attained or attain the age of 25 years take equally the share which their father would otherwise have taken;
- (2) If my son **Andrew James Cole** has already died or does not survive me or dies before attaining a vested interest, without leaving children who survive me and have attained or attain 25 years of age then my son **Ryan David Cole** takes the whole of my residuary estate.

4. Provisions

4.1 My son **Ryan David Cole** may take no greater benefit from my estate than is provided pursuant to clauses 3.5 and 3.7(2) above.

5. Executors Powers

I direct that my trustees may in my trustees' discretion:

- 5.1 exercise any powers given to a trustee or executor by law;
- 5.2 exercise the powers of a trustee for sale;
- 5.3 postpone the sale, calling in and conversion of any assets in my estate without being liable for any loss which may result;
- 5.4 pay or apply capital for any purpose or in any manner;
- 5.5 apply towards the maintenance, education, advancement or benefit of any beneficiary, the whole or any part of the capital or income of that part of my estate to which that beneficiary is or may be entitled;
- 5.6 vote in, and apply for and accept directorship of, any company in which my estate has any interest; and
- 5.7 carry on any business in which I may be engaged at my death.

6. Good Faith

Paul
Witness

Deborah Fay Salvemini
Witness

[Signature]
Willmaker

Signed: DS SalveminiDated: 15-6-17Deborah Fay Salvemini
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I direct that my trustees having acted in good faith in performing any of the acts referred to above:

- 6.1 are not liable for loss; and
- 6.2 are entitled to be indemnified out of my estate of any loss incurred by my trustees as a result of those acts.

7. Maintenance of Beneficiary

My executor may apply a beneficiary's interest:

- 7.1 for the maintenance education, support, advancement or benefit of that beneficiary; or
- 7.2 to the parent, guardian or care giver of that beneficiary if that beneficiary is under a legal disability.

8. Beneficiaries

- 8.1 A person must survive me by 30 days to receive any interest in my estate.
- 8.2 Each beneficiary's interest will vest upon the beneficiary reaching 25 years of age.
- 8.3 Each beneficiary's interest is subject to a right of survivorship unless otherwise stated.
- 8.4 Subject to any right of survivorship, my executors will deal with the interest of a beneficiary who dies before reaching 25 years of age, as if the beneficiary did not survive me by 30 days.

9. Definitions

In this Will unless the contrary intention appears:

- 9.1 **'Beneficiary'** means any person who has or may have an interest in my estate under this Will, whether born or coming into existence before or after my death;
- 9.2 **'Children'** includes a child;
- 9.3 **'Estate'** means:
 - (1) any real or personal property over which I have power to dispose at my death;

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- (2) any superannuation benefits or life insurance proceeds paid to my Executors (as my Legal Personal Representative) as a consequence of my death; and
 - (3) any income generated from those assets before or after my death;
- 9.4 **'Executor'** means my Executors or Legal Personal Representative for the time being;
- 9.5 **'Interest'** means all or part of the income or capital of my Estate:
- (1) to which a beneficiary is, from time to time, entitled under this Will; or
 - (2) in which a beneficiary has, from time to time, a life or contingent interest or expectancy under this Will;
- 9.6 **'Residuary Beneficiary'** means a person who is a beneficiary of my residuary estate by virtue of clause 3 and/or a right of survivorship;
- 9.7 **'Residuary Estate'** means the balance of my estate after
- (1) payment of my debts; and
 - (2) payment of testamentary expenses;
- 9.8 **'Right of Survivorship'** means, where a Beneficiary:
- (1) does not survive me by 30 days or
 - (2) does not reach 21 years of age; and
 - (3) leaves children; those children will subject to clause 7 receive the interest which but for the operation of clause 7 would have been received by or been vested in their parent;
- 9.9 **'Testamentary Expenses'** means:
- (1) my funeral and testamentary expenses; and
 - (2) succession and other duties payable on my death; and
 - (3) any other expenses associated with my death or the administration of my estate.

10. Interpretation

The following rules of interpretation apply unless the context requires otherwise;

[Signature]
Witness

Deborah Fay Salvemini
Witness

[Signature]
Willmaker

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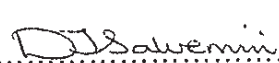
- 10.1 where two or more persons have died, or are presumed dead and the order of deaths is uncertain the deaths, or presumed deaths are deemed to have taken place in order from the oldest to the youngest;
- 10.2 a gender includes all other genders;
- 10.3 a reference to a clause is to a clause of this Will;
- 10.4 a reference to this Will is to this Will as amended from time to time;
- 10.5 the headings are for convenience only and do not affect the interpretation of this Will; and
- 10.6 a reference to dollars is a reference to Australian dollars.

Signed by the Willmaker **DAVID RONALD COLE** in our joint presence and attested by us in the presence of the Willmaker and of each other:


Willmaker

Witnesses sign:

(1) 
(Signature)
Kassandra Faye Cole
34 Moss Street
Parafield Gardens 5107 SA
Child Care Worker

(2) 
(Signature)
Deborah Fay Salvemini
C/- 1 Clark Terrace
Seaton 5023 SA
Solicitor