

DATED the

day of

2020

WILL

OF

RAYMOND WILLIAM MOGG

Beven Bowe and Associates

Solicitors

7 Almay Street

(PO Box 1331)

Kenmore Qld 4069

Tel: (07) 3378 9288

Fax: (07) 3378 9688

Ref: BB:201022

THIS IS THE LAST WILL AND TESTAMENT of me RAYMOND WILLIAM MOGG of 77 Cintra Street, Durack, Brisbane in the State of Queensland, Retired.

Earlier Wills

1. I revoke all previous Wills and testamentary acts.

Executor and Trustee

2. 01 **I APPOINT** my children KATHRYN LOUISE GREEN, SALLY JEAN VICKERMAN and BRETT WILLIAM MOGG as my joint Executors and joint Trustees.
02 "My Executors" or "my Trustees" refers to the children named in clause 2.01 while acting, and my personal representatives and trustees for the time being.
03 Where my Executors disagree the decision of the majority prevails.

Survival of Beneficiaries

3. 01 **I DIRECT** that to share in my estate a person must survive me for thirty (30) days and the word "survive" is to be read accordingly.
02 In this Will any gift which depends on the beneficiary surviving me by a specified period is contingent and does not vest in the beneficiary unless and until he or she has survived the specified period. Any income produced by the gift between my death and vesting of the gift accumulates to the gift.

Superannuation Benefits

4. **I DIRECT** my Executors to give effect to any valid Binding Death Benefit Nomination relating to my superannuation fund which may be in place at the date of my death.

Pecuniary Legacy to my grandchildren

5. 01 **I DIVIDE** \$350,000.00 equally among my grandchildren who survive me and attain eighteen (18) years of age. I expect that all of my fourteen grandchildren will survive me. The gift to each grandchild should therefore equate to \$25,000.00.
02 To avoid any uncertainty I confirm that I have read my wife's Will which mirrors the wording of my Will. My grandchildren will receive a second bounty totalling \$350,000.00 from my Wife's estate following her death. I am glad my wife has made a similar bequest. The total bounty to be received by my surviving grandchildren under both Wills is therefore \$700,000.00.

Raymond Mogg
Willmaker

Bever Bowe
1st Witness

Josephine Bowe
2nd Witness

Disposal of the Balance of my Estate

6. 01 My interest as joint tenant in two properties at 77 Cintra Street, Durack, Brisbane in the State of Queensland (the matrimonial home) and at 2/143 Beck Street, Paddington, Brisbane in the State of Queensland together with my joint savings and my joint share portfolio devolves to my wife JILL MOGG if she survives me.
- 02 I GIVE all my remaining cash in any savings accounts or elsewhere and my shares not otherwise disposed of to my Executors to hold on trust to pay my debts, funeral and testamentary expenses and subject thereto to pay the residue then remaining to my children KATHRYN LOUISE GREEN, SALLY JEAN VICKERMAN, SUSAN ANN MOGG, ALLISON MARGARET PEEBLES and BRETT WILLIAM MOGG as shall survive me and if more than one survives me in equal shares as tenants in common.
- 03 If my wife predeceases me and the gift in clause 6.01 fails to eventuate I GIVE the balance of my estate both real and personal of whatsoever nature and wheresoever situate to my Executors UPON TRUST for the benefit of my children KATHRYN LOUISE GREEN, SALLY JEAN VICKERMAN, SUSAN ANN MOGG, ALLISON MARGARET PEEBLES and BRETT WILLIAM MOGG as shall survive me and if more than one survives me in equal shares as tenants in common.
- 04 If any child or children of mine fail to survive me or fail to attain a vested interest in my estate leaving a child or children then that child or those children shall take the share which his, her or their parent would otherwise have taken and if more than one in equal shares as tenants in common.

Powers

7. My Executors may exercise any of the following powers as well as those given by law:-
- 01 retain, purchase, sell, (or postpone the sale), lease, develop, improve or otherwise deal with any property I own at my death for the benefit of my beneficiaries;
- 02 transfer or partition any asset to pay a share of my estate to a beneficiary;
- 03 use the income and/or capital of any vested, contingent or presumptive share of any beneficiary for the maintenance, education, clothing or general welfare of such beneficiary;
- 04 determine in all cases of doubt whether any moneys received by my Executors

Raymond Mogg
Willmaker

Bever Bowe
1st Witness

Josephine Bowe
2nd Witness

are capital or income or whether any loss or outgoing should be charged against capital or income;

- 05 for any gift in this Will to a minor beneficiary, give same to the parent or guardian of the minor beneficiary, without being responsible to see that the gift is properly applied;
- 06 hold all or part of any superannuation death benefits paid to my estate in a separate superannuation proceeds trust upon and subject to the rights and powers herein created for any of the beneficiaries under this my will who qualify as death benefit dependants pursuant to the Income Tax Assessment Act 1997 as amended in such proportions as my Executors may determine provided that my estate is divided between all beneficiaries of my estate in the proportions that accord with my wishes expressed herein.

Headings

8. Headings are for convenience only and do not affect the interpretation or meaning of the clauses in my Will.

SIGNED this 25th day of JULY 2020

By the Willmaker in our presence
and witnessed by both of us in the
Willmaker's presence and in the
presence of each other:

)
)
)
)

Raymond Mogg
Willmaker

Beven Bowe
1st Witness

Beven Patrick Bowe
7 Almay Street, Kenmore, Qld, 4069
Solicitor

Josephine Bowe
2nd Witness

Josephine Theresa Bowe
7 Almay Street, Kenmore, Qld, 4069
Legal Administration