

DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE

R and M Brown Superfund

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Brisbane
Maroochydore
Southport

Affiliated office
Sydney

DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE

DATE 23/02/2016.

DETAILS OF PARTIES

Name	Raymond Edward Brown (Retiring Trustee and Member)
Address	3 Gullane Street Macgregor Qld 4109

Name	Margaret Joy Brown (Retiring Trustee and Member)
Address	3 Gullane Street Macgregor Qld 4109

Name	Alan Raymond Brown (Retiring Trustee and Member)
Address	Durham Park Warrego Highway Oakey Qld 4401

Name	Leanne Margaret McMaster (Retiring Trustee and Member)
Address	14 Lonsdale Place Wishart Qld 4122

Name	Burrabrook Pty Ltd ACN 610 594 851 (New Trustee)
Address	C/- Virtu Super Level 1 1454 Logan Road Mount Gravatt Qld 4122

BACKGROUND

- A. The R and M Brown Superfund (**Fund**) was established pursuant to a Deed of Trust dated 5 June 2002 which contained the rules for the Fund (**Trust Deed**).
- B. Pursuant to clause 8.1(e)(ii) of the Trust Deed a trustee may retire as trustee of the Fund.
- C. Pursuant to clause 8.1(b) of the Trust Deed the members may appoint a new trustee of the Fund.
- D. The parties wish to record the retirement of the Retiring Trustees and the appointment of the New Trustee.

OPERATIVE PROVISIONS

1. RETIREMENT

The Retiring Trustees, in accordance with clause 8.1(e)(ii) of the Trust Deed, retire as trustees of the Fund with effect from the date of this deed.

2. APPOINTMENT AND ACCEPTANCE

2.1 Appointment of New Trustee

The New Trustee is, in accordance with clause 8.1(b) of the Trust Deed, appointed to act as trustee of the Fund with effect from the date of this deed.

2.2 Acceptance by New Trustee

The New Trustee accepts the appointment as trustee of the Fund from the date of this deed and agrees to be bound by the restrictions and obligations placed on that position by the provisions of the Trust Deed.

3. SECRETARIAL

The Retiring Trustees and New Trustee will promptly do all things necessary to:

- (a) give effect to the provisions of this deed; and
- (b) transfer and deliver the property of the Fund to the New Trustee.

4. RELEASE AND INDEMNITIES

4.1 Release of Retiring Trustees

From the date of this deed, the Retiring Trustees are released from all further obligations under the Trust Deed except:

- (a) in relation to any antecedent neglect or default of the Retiring Trustees; and
- (b) the obligations of the Retiring Trustees under clause 3.

4.2 Indemnity of Retiring Trustee

The New Trustee indemnifies, to the extent it can be satisfied out of property of the Fund, the Retiring Trustees for all claims, costs (including legal costs on a full indemnity basis), damages, expenses and liabilities of the Retiring Trustees in respect of which the Retiring Trustees would have had a right of indemnity out of the assets of the Fund prior to the date of this deed.

4.3 Indemnity by Retiring Trustee

The Retiring Trustees indemnify the New Trustee with respect to any successful actions, claims or demands against the New Trustee which may arise from any breach of trust by the Retiring Trustees during the period of conduct of the Fund by the Retiring Trustees where the assets of the Fund are insufficient to satisfy the liability.

Execution

Executed as a deed.

EXECUTED by BURRABROOK PTY LTD
ACN 610 594 851:

RB 
Signature of director

RAYMOND EDWARD BROWN
Name (BLOCK LETTERS)

MB 
Signature of director

MARGARET JOY BROWN
Name (BLOCK LETTERS)

23/02/2016
Date signed

SIGNED SEALED AND DELIVERED by
RAYMOND EDWARD BROWN, in the
presence of:


Signature of witness

WILFRED E.C. MARKS
Name of witness (BLOCK LETTERS)

SIGNED SEALED AND DELIVERED by
MARGARET JOY BROWN, in the
presence of:



Signature of witness

WILFRED E.C. MARKS
Name of witness (BLOCK LETTERS)


SIGNED SEALED AND DELIVERED by
ALAN RAYMOND BROWN, in the
presence of:


Signature of witness


NIGEL HOPSON
Name of witness (BLOCK LETTERS)

RB 
Signature of party

23/2/2016
Date signed

MB 
Signature of party

23/2/2016
Date signed

AB 
Signature of party

23-2-2016
Date signed

SIGNED SEALED AND DELIVERED by
LEANNE MARGARET MCMASTER, in
the presence of:

LM L McMaster
Signature of party

Gail
Signature of witness

GAIL COLLINAN
Name of witness (BLOCK LETTERS)

23/02/2016
Date signed