

# **DEED OF RESIGNATION AND APPOINTMENT OF TRUSTEE**

**RODNEY BRUCE LEVIEN,**

**NATALIE JEAN LEVIEN**

**and**

**YVONNE ESTELLE LEVIEN**

**("the New Trustees")**

**CINDERLAKE  
SUPERANNUATION FUND**

MORROWS LEGAL PTY LTD

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**CINDERLAKE SUPERANNUATION FUND**

**DEED OF RESIGNATION AND APPOINTMENT OF TRUSTEE**

**THIS DEED** is made on 8<sup>TH</sup> AUGUST, 2011

**BY:**

RODNEY BRUCE LEVIEN,  
NATALIE JEAN LEVIEN and  
YVONNE ESTELLE LEVIEN  
("the New Trustees")  
and  
CINDERLAKE PTY LTD ACN 010 579 343  
("the Retiring Trustee")

**WHEREAS:**

- A. The **CINDERLAKE SUPERANNUATION FUND** (the "Fund") was established by Deed dated 28 June 1996 as amended by Deed of Variation dated 11 July 2008 (the "Deed").
- B. Clause 6 of the Deed provides for the appointment of the Trustee.
- C. The Retiring Trustee desires to retire from being a Trustee.
- D. The New Trustees satisfy the standards set out in the *Superannuation Industry (Supervision) Act 1993* to become Trustee and have agreed to accept the appointment as Trustees of the Fund.

**NOW THIS DEED WITNESSES AS FOLLOWS:**

- 1 Pursuant to Clause 6 of the Deed, the New Trustees are appointed to be Trustee of the Fund to undertake as from the date of this Deed the powers, duties and obligations conferred by the Deed upon the Trustee.
- 2 The Retiring Trustee confirms its retirement as Trustee of the Fund is to take effect as from the date of this Deed.
- 3 The New Trustees agree that as from the date of this Deed they shall be bound by and observe and administer all the powers, discretions and obligations conferred upon the Trustee by the Deed.
- 4 The Retiring Trustee agrees that it will do everything necessary to transfer legal title to assets of the Fund to the New Trustees and to sign all documents and do all things required to enable the New Trustees to assume and carry out their duties as Trustee of the Fund.
- 5 Except as provided in Clause 4 of this Deed, the Retiring Trustee is discharged from the date of this Deed from further performance of its obligations and duties as

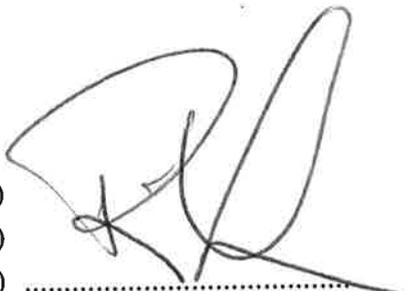
Trustee of the Fund.

- 6 The New Trustees indemnify the Retiring Trustee against all debts that may have been incurred by the Retiring Trustee up to the date of this Deed while performing its duties as Trustee of the Fund and agree to pay and discharge all such debts out of the assets of the Fund.
- 7 The New Trustees agree to maintain the Fund that was established by the Deed.
- 8 The New Trustees confirm that they hold the assets of the Fund on the trusts specified in the Deed as amended by this Deed.

**EXECUTED AS A DEED**

*New Trustees*

SIGNED SEALED AND DELIVERED by the )  
said RODNEY BRUCE LEVIEN in the presence )  
of: )



.....  
) **RODNEY BRUCE LEVIEN**

..... *Witness* Witness  
SIGNED SEALED AND DELIVERED by the )  
said NATALIE JEAN LEVIEN in the presence of: )



.....  
) **NATALIE JEAN LEVIEN**

..... *Witness* Witness  
SIGNED SEALED AND DELIVERED by the )  
said YVONNE ESTELLE LEVIEN in the )  
presence of: )

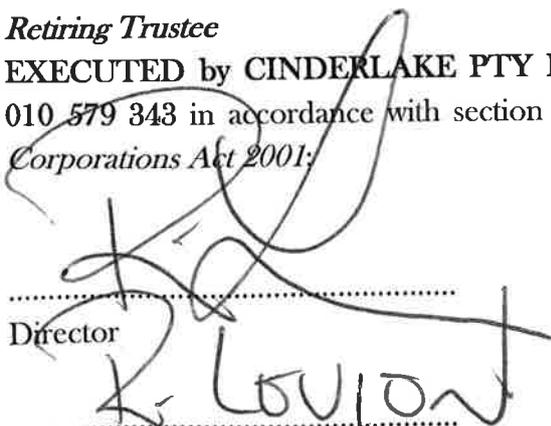


.....  
) **YVONNE ESTELLE LEVIEN**

..... *Witness* Witness

*Retiring Trustee*

EXECUTED by CINDERLAKE PTY LTD ACN )  
010 579 343 in accordance with section 127 of the )  
*Corporations Act 2001:* )



.....  
Director

Director/Secretary