



LAST WILL AND TESTAMENT

I, _____ of [_____] make this as and for my last Will and Testament and I hereby revoke all former Wills and other testamentary dispositions heretofore at any time made by me.

1. **I APPOINT** my wife, [_____] of [_____] to be the sole Executrix of this my Will (hereinafter called “my Executrix”) and I **DIRECT** my Executrix to pay my just debts, funeral and testamentary expenses out of my assets.
2. I **APPOINT** my Executrix for the purposes of the Settled Land Acts, the Conveyancing Acts and for the purpose of Section 57 of the Succession Act, 1965 and I **DECLARE** that a sole Executrix for the time being hereof and that for every trust fund hereby created shall be competent to act for all the purposes of the said Acts and this my Will including the receipt of Capital Monies under the Settled Land Acts.
3. **I GIVE DEVISE AND BEQUEATH** the sum of €100 to my wife [_____] to be hers absolutely.
4. **I GIVE DEVISE AND BEQUEATH** all of my property both real and personal and whersoever situate to my wife [_____] for her own use and benefit absolutely.
5. In the event that [_____] predecease me or die simultaneously with me or if she does not survive me by more than one month then the following provisions should take affect:
 - A. **I APPOINT** [_____] of [_____] to be the Executors and Trustees of this my Will (hereinafter called “my Trustee”).
 - B. **I DIRECT** my said Trustee to pay my just debts, funeral and

testamentary expenses out of my assets.

- C. **I DIRECT** the said [] be the Guardians of my Estate and my children [].
6. **I GIVE DEVISE AND BEQUEATH** all my property both real and personal wheresoever situate and of whatsoever nature in [] equal shares to my children [] to be held on trust by my Guardians until the youngest of my children attains the age of 21 years at which point they will receive my Estate which has been held on trust for their benefit.
7. As to all the rest, residue and remainder of my Estate both real and personal of whatsoever nature and wheresoever situate **I GIVE DEVISE AND BEQUEATH** the same to my children in [] equal shares to be theirs absolutely **I APPOINT** them my residuary legatees and devisees.
8. **IF** any child of mine dies before me or before attaining a vested interest leaving children then such children shall on reaching the age of 18 years take per stirpes the share which he/her or their parent would otherwise have taken and if more than one in equal shares absolutely.
9. **IN ADDITION** to all Statutory Powers which my Executrix or Trustee may have, they shall have the following Powers:-
- (a) To exercise the power of appropriation under Section 55 of the Succession Act, 1965 without serving any of the notices or obtaining any of the required consents.
 - (b) To buy any asset of my residuary estate.
 - (c) To invest and change investments freely as if they were absolute owners beneficially entitled and to invest in unsecured free loans and other non-income producing assets including property for occupation or use by any beneficiary.
 - (d) To borrow on the security of any asset of my estate.
10. **ALL** income received after my death will be treated as income of my estate regardless of the period to which it relates and the Statutory Rules of concerning apportionment and the rules in *Howe v Dartmouth* and *Allhusen v Whittel* shall not be applied.
11. **I DIRECT** that (Messrs., Simon Carty Solicitors of 25 Lower Leeson Street, Dublin 2) be appointed to act in the administration of my Estate.
12. **I DECLARE** that no Executor of this my Will shall be liable for any loss not

