
LAST WILL AND TESTAMENT OF
JED BARTLETT

Sample Will Content

THIS IS THE LAST WILL AND TESTAMENT of me, JED BARTLETT, of the Contact Municipality, in the Contact Region, Province of Ontario.

I. I HEREBY REVOKE all Wills and testamentary dispositions of every nature or kind whatsoever previously made by me.

II. I APPOINT my Mother, Abbey Bartlett to be the Executrix and Estate Trustee of this my Will. I hereinafter refer to my Executor and Estate Trustee or Executrix and Estate Trustee or Executors and Estate Trustees from time to time, whether appointed originally by me or otherwise appointed as a substitute or replacement, as my "Trustee" in the masculine/feminine gender.

III. If my wife predeceases me, or survives me but dies while any child of mine is a minor, I appoint Charles Bartlett to be the guardian and custodian of my minor child or children. All payments of income and/or capital made by my Trustee to my minor child or children hereunder shall be made to the aforesaid guardians and custodians.

IV. NOTWITHSTANDING anything herein contained in this my Will, I expressly authorize my Trustee to provide to the custodian or custodians of my minor child or children such financial assistance from time to time as my Trustee in her uncontrolled discretion considers advisable out of such shares or portions of my estate as my Trustee considers advisable, such assistance to be either by way of loan with or without interest or by way of an outright payment with no obligation to repay as my Trustee may determine.

(a) I DECLARE that the proceeds of all insurance policies on my life on which I am entitled to designate a beneficiary thereof shall be payable to my wife, Abby as the beneficiary thereof. If my said wife is not then living, such proceeds shall be payable to my Trustee, to be held in a separate trust in the same manner and on the same terms as I have provided for the residue of my estate by my Will. This declaration is a declaration within the meaning of the *Insurance Act* (Ontario). My Trustee shall have the same powers in connection with the administration of this Insurance Trust Fund as she has for the administration of my residuary estate. I HEREBY designate my wife, Abbey Bartlett, as the beneficiary, if she survives me to receive, for her own use absolutely, any interest I may have at the date of my death in any fund or plan, including any pension fund or plan, employee profit or deferred profit sharing plan, registered retirement savings plan, registered retirement income fund or income-averaging annuity contract. If my said wife, should predecease me or die prior to the thirtieth (30th) day following the date of my death, I direct my Trustee to pay or transfer such interest to those of my children who survive me in equal shares, and I hereby designate each of such children as a beneficiary to receive such interest, for his or her own use absolutely. This designation is a designation within the meaning of the

Succession Law Reform Act (Ontario) and to the extent that any such plans and/or funds are governed by the *Insurance Act* (Ontario), that this shall also be a declaration within the meaning of the *Insurance Act* (Ontario).

(b) If at the time of my death I have not made the maximum contributions which are deductible for income tax purposes in respect of the calendar year in which my death occurs or in respect of any preceding calendar year to registered retirement savings plans of which I am the annuitant or of which my said wife, Abbey Bartlett is the annuitant, and if my said wife, Abbey Bartlett survives me, I authorize and empower my wife in her discretion to make such contributions on my behalf to a registered retirement savings plan of which my said wife, Abbey Bartlett is the annuitant.

V. If my said wife, Abbey Bartlett does not survive me, and my estate is entitled to receive any amounts out of or under a registered retirement savings plan, which would have qualified as "refunds of premiums" as that term is defined in the *Income Tax Act* (Canada), had they been received directly by any, some or all of the beneficiaries of this my Will, I authorize and empower my Trustee to enter into a joint election or joint elections with such beneficiary or beneficiaries and with respect to such amounts as she in her uncontrolled discretion considers appropriate, to deem such amounts to have been received directly by the beneficiaries. I also direct my Trustee to pay to any beneficiary so electing the amount subject to the election and I direct that the balance remaining, if any, shall be paid or transferred to my Trustee to be held in a separate trust and dealt with in the same manner and on the same terms as I have provided for the residue of my estate by my Will. I GIVE all my property of every nature and kind and where ever situate, including any property over which I may have a general power of appointment, to my said Trustees upon the following trusts: To deliver to my wife if she survives me, all my personal jewellery for her own use absolutely.

VI. To transfer to my wife, all of my shares in the capital stock of Bell Canada Common herein after called "the Shares" for her own use absolutely. If at my death, as the result of any stock dividend, stock split, amalgamation, reconstruction or rearrangement of capital of the said corporation, or the sale of its undertaking to any other corporation, the Shares shall be represented by a different capital holding either in the said corporation or in any other corporation to which I am entitled at my death (herein after called the "Replacement Shares"), then the bequest shall take effect as if it had been a bequest of the Replacement Shares. If the Shares or the Replacement Shares shall have been sold by me and

the proceeds thereof reinvested, this bequest shall not extend to the asset or assets resulting from such reinvestment.

(a) To deliver to my wife, Abbey Bartlett, if she is alive on the thirtieth (30th) day following the date of my death (which thirtieth (30th) day is hereinafter called the "Distribution Date"), all articles of personal, domestic and household use or ornament, including consumable stores, motorized vehicles, boats and accessories thereto owned by me at the date of my death. If my said wife is not alive on the Distribution Date, I direct my Trustee to divide all such articles among my children who are alive on the Distribution Date as they shall agree, and failing agreement, as my Trustee in her absolute discretion considers equitable.

(b) To transfer and convey to my said wife, Abbey Bartlett, if she is alive on the thirtieth (30th) day following the date of my death (which thirtieth (30th) day is hereinafter called the Distribution Date, for her own use absolutely, any right, title and interest which I may have in and to any residential property which I may be using as my principal residence at the time of my death, together with all lands and buildings appurtenant thereto and enjoyed by me in connection therewith, and which interest may include a condominium unit or shares in a co-operative housing corporation.

(c) To transfer and convey to my said wife, if she is alive on the Distribution Date, for her own use absolutely, any right, title and interest which I may have in and to any seasonal property which I may be using at the time of my death, together with all lands and buildings appurtenant thereto and enjoyed by me in connection therewith, and which interest may include a condominium unit, shares in a co-operative housing corporation or a timesharing interest. To release and forgive unto Charles Parlle all sums whether for principal or interest and whether secured or unsecured which at the time of my death may be owing by Susan Parlle to me and to cancel, discharge and deliver to the said Charles Parlle any and all securities or evidence of such indebtedness, any expense incidental to any such cancellation and discharge to be paid out of my residuary estate, and provided that if the said Charles Parlle shall predecease me, the personal representatives of the said Susan Parlle shall be entitled to the benefit of this gift as though the said Charles Parlle had died immediately after my death.