

**THIS IS THE LAST WILL** of me BRIAN NICHOLAS ROSSITER of West Barn, Ordley, Hexham, Northumberland NE46 1SX which I make this            day of            Two Thousand and Twenty Three

**Revocation**

1. I HEREBY REVOKE all former wills and testamentary dispositions made by me AND DECLARE this to be my last will and testament

**Appointment of Executors**

2. I APPOINT my daughter CATHERINE EMMA KHATIBZADEH care of 1a Oakhurst Close, Kingston upon Thames KT2 5EQ and my son ALEXANDER JAMES ROSSITER of 63 Node Way Gardens, Welwyn AL6 9FD and the partners at the date of my death in Nicholson Portnell Solicitors of Priestpopple, Hexham, Northumberland NE46 1PL (or the firm or incorporated practice which at that date has succeeded to and carried on its practice) as executors and trustees of this my will and I DECLARE that no more than one of those partners shall prove this my will or two of those partners should both my said children predecease me or be unable or unwilling to prove this my will
3. I DECLARE as follows:
  - 3.1 In my will or any codicil to it the expression “my Trustees” means the executors and trustees appointed in clause 2 and (where the context requires) my personal representatives for the time being who act lawfully in the administration of my estate or the trustees of my will for the time being whether original substituted or added and
  - 3.2 In clause 2 the expression “firm” includes incorporated practices recognised by the Solicitors Regulatory Authority and the expression “partners” includes solicitors who are directors or members of or beneficial owners of shares in such practice
  - 3.3 Any powers given by my will or any codicil to it or by the general law to my Trustees may be exercised by them before the administration of my estate is complete or before a grant of representation has been obtained

**Charitable Legacies**

4. I GIVE the following charitable legacies, free of any inheritance tax:
  - 4.1 the sum of thirty thousand pounds (£30,000) to BRITISH TRUST FOR ORNITHOLOGY (registered charity number: 216652) of The Nunnery, Thetford IP24 2PU

- 4.2 the sum of twenty thousand pounds (£20,000) to MARIE CURIE (registered charity number: 207994) of One Embassy Gardens, 8 Viaduct Gardens, London SW11 7BW
- 4.3 the sum of thirty thousand pounds (£30,000) to GLASSHOUSE, NORTH MUSIC TRUST (registered charity number: 1087445) of The Sage Gateshead, St Marys Square, Gateshead NE8 2JR
- 4.4 the sum of twenty thousand pounds (£20,000) to ROYAL SOCIETY FOR THE PROTECTION OF BIRDS (registered charity number: 207076) of The Lodge, Potton Road, Sandy, Bedfordshire SG19 2DL
- 4.5 the sum of ten thousand pounds (£10,000) to the Parochial Church Council of the ecclesiastical parish of Whitley Chapel in the Diocese of Newcastle for its general purposes." I desire the said sum to be applied for the benefit of St HELEN'S CHURCH, Whitley Chapel, Steel, Hexham, Northumberland NE46 0HB.
- 4.6 the sum of thirty thousand pounds (£30,000) to THE WOODLAND TRUST (registered charity number: 294344) of Kempton Way, Grantham, Lincolnshire NG31 6LL
- 4.7 the sum of thirty thousand pounds (£30,000) to BRUNDIBÁR ARTS FESTIVAL (registered charity number 1164729) of Flat 25, Bridgestone House, 27 Blue Anchor Lane, London, England SE16 3UL
- 4.8 the sum of thirty thousand pounds (£30,000) to OPERA NORTH (registered charity number 1550778) of Howard Opera Centre, 8 Harrison Street, Leeds, LS1 6PA
- 4.9 the sum of thirty thousand pounds (£30,000) to NORTHUMBERLAND WILDLIFE TRUST (registered charity number 1550778)
- 4.10 the sum of ten thousand pounds (£10,000) to THE SALVATION ARMY (registered charity number 214779) of The Salvation Army Territorial Headquarter, 1 Champion Park, London, SE5 8FJ.
- 4.11 With reference to paragraph 4.1 to 4.10 above, if before my death (or after my death but before my Trustees have given effect to the gift) any charitable or other body to which a gift is made by this will or any codicil to it has changed its name or amalgamated with any other body or transferred all its assets to any other body, then my Trustees shall give effect to the gift as if it were a gift to the body in its changed name, or to the body which results from the amalgamation, or to the body to which the assets have been transferred.

- 4.12 If such a charitable or other body shall be found never to have existed or to have ceased to exist before my death the benefit intended to be given under such gift shall be paid transferred or applied to such charitable or other body established in the United Kingdom or for such charitable purposes in the United Kingdom and if more than one in such shares as my Trustees in their discretion think fit and I express the wish that my Trustees shall seek to benefit a charity or charities as close as possible in purpose to the charity or charities intended to be benefited by my original gift.
- 4.13 I declare that the receipt of the anyone purporting to be treasurer or other proper officer for the time being of any charitable or other body to which any gift is made by or under my Will shall be a sufficient discharge to my Trustees for the sums bequeathed to them and my Trustees shall not be bound or concerned in any way to see or to enquire into the application thereof.

#### **Gifts of Money**

5. I Give the sum of £20,000 to each of my granddaughters, SOPHIA ANNA MARZIEH KHATIBZADEH and ISABELLA MARZIEH ANNA KHATIBZADEH both care of 1a Oakhurst Close, Kingston upon Thames KT2 5EQ as shall survive me by twenty-eight days and on attaining the age of 21 free of inheritance tax absolutely.
- 5.1 I declare that if at my death either grandchild of mine is a minor my Trustees may pay or deliver that grandchild's legacy to any person who appears to my Trustees to be the parent or guardian of that grandchild and in such circumstances that person's receipt shall be a good discharge to my Trustees who shall not be required to see to the application of the legacy.

#### **Residuary Estate**

6. I GIVE DEVISE APPOINT AND BEQUEATH all my real and personal Estate whatsoever and wheresoever not hereby otherwise disposed of and all property over which I shall at my death have general or special power of appointment or disposition to my Trustees UPON TRUST to sell call in and convert into money the said real and personal property at such time or times and in such manner as they shall think fit with power to postpone such sale calling in or conversion of the whole or any part or parts of the said property during such period as they shall think proper and to retain the

same or any part thereof in its actual form of investment without being responsible for loss

- 6.1 MY TRUSTEES shall out of the monies to arise from the sale calling in and conversion of or forming part of my said real and personal Estate pay my funeral and Testamentary expenses debts and any legacies given by this my Will or any Codicil hereto and all Inheritance Tax and other taxes and duties payable on or by reason of my death and subject thereto shall stand possessed of the residue (hereinafter called “my Residuary Estate”) UPON TRUST for such of the following as shall survive me and if more than one in equal shares absolutely namely:
  - 6.1.1 my said daughter CATHERINE EMMA KHATIBZADEH
  - 6.1.2 my said son ALEXANDER JAMES ROSSITER
  - 6.1.3 Provided That if either of my said children shall predecease me leaving issue who are living at the date of my death such issue shall take by substitution upon attaining the age of 21 years and if more than one in equal shares through all degrees according to their stocks the share which such child of mine so predeceasing me would otherwise have taken had he or she survived me and attained a vested interest but so that no issue shall take whose parent is alive and capable of taking
- 6.4 Provided Further That if I die leaving no surviving issue as aforesaid (or issue who survive me but fail to attain the age before specified) so that the beneficial terms of this my will shall fail then I GIVE my Residuary Estate to my sister GILLIAN REED of 42 Wimborne Gardens, London W13 8BS and my sister ELIZABETH FRANCES ROGERS of 22 Blackthorn Close, Sidmouth EX10 9XR as shall survive me and if more than one in equal shares absolutely Provided That if either of them shall predecease me leaving issue who are living at the date of my death such issue shall take by substitution upon attaining the age of 21 years and if more than one in equal shares through all degrees according to their stocks the share which such sister of mine so predeceasing me would otherwise have taken had she survived me and attained a vested interest but so that no issue shall take whose parent is alive and capable of taking
- 6.5 I declare that section 31 of the Trustee Act 1925 shall not apply to the gifts contained in this clause 6.

#### **Administrative Provisions**

7. I DECLARE that the standard provisions of the Society of Trust and Estate Practitioners (2<sup>nd</sup> Edition) shall apply to this my will with the exclusion of standard provision 5.
  
8. FOR the purposes of this my Will:
  - 8.1 section 31 Trustee Act 1925 shall apply so that a Person shall be treated as attaining the
 

at the age of majority at the Specified Age and the references to the age of 18 years in section 31 shall be treated as references to the Specified Age
  - 8.2 in this clause the “Specified Age” means the age of 25 or such earlier age (not being less than 18) as the Trustees may by deed specify
  
9. ANY of my Trustees for the time being a solicitor or other person engaged in any profession or business shall be entitled to charge and be paid all usual professional or other reasonable and proper charges for business done or services rendered or time spent by him or his firm in proving this will and administering my estate and in relation to the trusts of this will or of any codicil to it
  
10. ANY PERSON who does not survive me by at least twenty-eight days shall be deemed to have predeceased me for all the purposes of this my Will (except for the purposes of clause 2 hereof) for the devolution of my estate and the income of my estate for the period of twenty-eight days from my death shall be accumulated and save where otherwise provided added to capital accordingly

**Funeral Wishes**

11. I DECLARE my wish to be buried in the churchyard at St Helen’s Church of Whitley Chapel, Steel, Hexham

**IN WITNESS** whereof I have hereunto set my hand to this my Will the day and year first hereinbefore written

)

**SIGNED** by the Testator BRIAN )  
 NICHOLAS ROSSITER as and for his )  
 last Will and Testament in the presence of

us both being present at the same time ) .....  
who at his request and in his presence and )  
in the presence of each other have )  
hereunto subscribed our names as )  
witnesses )

**Dated** \_\_\_\_\_ **2023**

**WILL**

of

**BRIAN NICHOLAS ROSSITER**

of

West Barn  
Ordley  
Hexham  
Northumberland  
NE46 1SX

Nicholson Portnell  
Solicitors  
Priestpopple House  
Hexham  
Northumberland  
NE46 1PL

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