08/22780

### **Books of Council and Session**

Extract Registered 29 May 2008

WILL

ALFRED GEORGE DENHOLM STEWART

FRANKS MACADAM & BROWN LP 1 EDINBURGH 3

AT EDINBURGH the Twenty Ninth day of May Two thousand and eight the Deed hereinafter reproduced was presented for registration in the Books of the Lords of Council and Session for preservation and is registered in the said Books as follows:-

I. ALFRED GEORGE DENHOLM STEWART, residing at Pitconochie House, Lundin Road, Crossford, by Dunsfermline, Fife in order to settle the succession to my means and estate after my death, Do Hereby NOMINATE and APPOINT CLIVE RICHARD MICHAEL FRANKS, residing at Harcourt House, Thirty five The Wynd, Dalgety Bay, Fife, MICHAEL DOUGLAS WILSON, residing at Forty two/five Northfield Broadway, Edinburgh and MRS SHEENA ANNE MACKENZIE, residing at Milldam House, Fodderty Farm, Dingwall, Ross-shire, for the time being collectively to be my Trustees: And I assign, dispone and convey to them and to any other person or persons whom I may hereafter appoint or who may be assumed to act hereunder and the acceptors or acceptor, survivors and survivor of them as Trustees for the purposes aftermentioned (the Trustees for the time being hereinafter referred to as "my Trustees") the whole means and estate, heritable and moveable, real and personal of whatsoever nature and wheresoever situated which shall belong to me or of which I shall have general power of appointment or disposal at the time of my death (hereinafter referred to as "my said estate"): and I appoint my Trustees to be my Executors: but these presents are granted in trust only for the following purposes videlicet:

FIRST For payment of my debts and funeral expenses and the expenses of executing the trust hereby

SECOND I direct my Trustees to give effect to any writings by me however informal they may be providing they are signed by me, dated after the date hereof and are clearly expressive of my intention as to which my Trustees shall be the sole judges and any bequests so made shall be free of interest, delivery expenses and Government taxes unless otherwise stipulated.

> I bequeath the whole of my estate to the ALFRED STEWART TRUST, a Trust established or to be established hereafter for medical and/or community purposes: subject only to the specific bequests aftermentioned.

I make the following specific bequest: that a sum be set aside to make a monthly payment (net of tax) amounting to TWO THOUSAND POUNDS (£2,000) Sterling to FIONA DUBOIS HAY, residing at Nine Letham Rise, Dalgety Bay, Fife for the whole of the remainder of her life: with any residue of the said sum so set aside to be paid to the said Alfred Stewart Trust on the event of the death of the said Fiona dubois Hay.

I specifically bequeath Castlandhill and Hilton Farms to my daughter, LINDEN JANE STEWART or STEPHEN, residing at Flat One/Two, Three Dundonald Street, Edinburgh and Pitconochie Farm to my other daughter, LEONIE STEWART, residing at Ten Craigleith Crescent, Edinburgh.

I wish my mortal remains to be disposed of and laid to rest according to the joint wishes of my said Executors and Trustees, the majority of them being sufficient to reach the relevant. reger OD. Sturing decisions:

THIRD

**FOURTH** 

FIFTH

SIXTH

#### Page Second

I provide and declare that my Trustees shall be entitled to exercise all powers and enjoy all the privileges and immunities of gratuitous trustees in Scotland at common law or under the Trust (Scotland) Act 1921 and 1961 or any other statutory amendment, re-enactment or replacement thereof and my Trustees shall have the fullest powers of and in regard to retention, realisation, investment, purchase and sale of heritage, administration, management and division of my said estate as though they were the beneficial owners: And in particular, without prejudice to any of the foregoing generalities, I expressly authorise and empower my Trustees to allow the whole or any part of my said estate to remain in the investments, securities or obligations implying an authorisation by me to continue the same with power also to my Trustees to sell or vary these investments and to invest the trust funds in non-trustee securities as fully and freely as I could have done myself and whenever it shall be necessary for my Trustees to exercise their judgment under these presents whatever decision they may act on shall be final and binding on all parties concerned and shall not be liable to be called into question on any count except fraud: And I declare that my Trustees shall not be liable for any depreciation in the value of investments made by them or of investments made by myself and retained by them nor for their omissions nor for neglect in management nor for the insolvency or debtors nor for the acts, omissions, neglects and defaults of each other or any bank or law agent, factor or other agent employed by them: And in the event of any Trustee acting as solicitor and factor in the trust he shall be entitled to the usual professional remuneration for his services: And I revoke all prior Wills and testamentary writings made by me: IN WITNESS WHEREOF

Signed by the said Alfred George Denholm Stewart	aefred 60. A
at Edinburgh on the Twerty Sixth day of Angust	9
day of Higher.	
Two thousand and five	
before this witness:	
, ,	
Signature: Supan Sympo-	•
Full Name: Susan Sinfon	
Address: 117 Heror Street	. *
Edinbugh	-
Occupation: Serva Secretary	

Dunfermline, 12 November 2008

Recorded in the Court Books of the Commissariot of Tayside, Gentral and File at Dunfermline.

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9

CODICIL

by

#### ALFRED GEORGE DENHOLM STEWART

I, ALFRED GEORGE DENHOLM STEWART, residing at Pitconochie House, Lundin Road, Crossford, by Dunfermline, with reference to my Will dated the Twenty sixth day of August Two thousand and five hereby declare that I wish to vary my said Will in terms of this Codicil as follows:

(ONE) I delete MICHAEL DOUGLAS WILSON and MRS SHEENA ANNE MACKENZIE as

Executors and Trustees, and appoint in their place GIFFORD WILLIAM BRUCE, residing at

Sixteen Newlands, Kirknewton, EH27 8LR and ROANO DORIAN PIEROTTI, residing at Four

Endrick Drive, Bearsden, Glasgow, G61 2EA as Executors and Trustees.

In all other respects I reaffirm the terms of my said Will: IN WITNESS WHEREOF

Signed by the said Alfred George Denholm Stewart at Chindred on the Tenholm Stewart day of Tanany
Two thousand and eight before this witness:

Signature: Suscen Sympan
Full Name: Suscen Simpson
Address: 117 Henover Shreet
Communication Series Shifter

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Junfermline, 12 Dovember 2005

Figorded in the Court Books of the Defamissariot of Tayside, Central and

File at Dunfermline.

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		ALFRED GEORGE DENHOLM STEWART
I, ALFRE	D GEORGE DENHOLM STEWART, re	esiding at Pitconochie House, Lundin Road, Crossford, by
Dunfermli	ne, with reference to my Will dated the Twe	nty sixth day of August Two thousand and five, as amended
by Codicil	dated the Tenth day of January Two thous	sand and eight, hereby declare that I vary my said Will and
Codicil, in	terms of this Codicil, as follows:	
(ONE)	(ONE) I delete Clause FIFTH of my said Will: without prejudice to the foregoing, I am no longer bequeathing any property to my daughters, LINDEN JANE STEWART or STEPHEN and	
•		
	LEONIE STEWART.	
· (TWO)	(WO) With regard to Clause THIRD of my Will, for avoidance of doubt I require all funds held for me	
in my Pension Fund, the Alfred Stewart Properties Limited Executive Pension Plan,		wart Properties Limited Executive Pension Plan, to be
	transferred to the Alfred Stewart Tn	ist.
In all other	respects I reaffirm the terms of my said Wi	ll and said Codicil: IN WITNESS WHEREOF
at Cross on the Se day of Ap	and and eight	arfred G.D Almourt.
Cianana.	4/8/1/2	•

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EXTRACTED by me having commission to that effect from the Keeper of the Registers of Scotland.

Full Name: Clive Pichard Michael fronte Address: 117 Hanover Strae

Occupation: Solicitors

6