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Ref: Mr G Park:LAJ:120065

DEED OF RETIREMENT OF TRUSTEE AND APPOINTMENT OF NEW TRUSTEES  
THE TURNER FOUNDATION

THIS DEED is made the 16 day of October 2014.

PARTIES

**Paul William Brotchie** of [REDACTED] ("the Retiring Trustee") Of the First Part  
**Duncan George Forbes** of [REDACTED] ("the Continuing Trustee") Of the Second Part  
**James John McCarthy** of [REDACTED] Of the Third Part  
**Bruce Campbell Humphries** of [REDACTED] Of the Fourth Part

(the last two parties being collectively "the New Trustees")

(the last three parties being collectively "the Trustees")

BACKGROUND

- A. The Turner Foundation was created by a Deed of Settlement dated the 21 October 2004 between David Winston Turner as the Settlor and Duncan George Forbes, David Winston Turner and Paul William Brotchie as trustees ("the Original Trustees").
- B. The Deed of Settlement was amended by a Supplemental Deed made the 1<sup>st</sup> day of July 2005 ("the 2005 Deed").
- C. The Deed of Settlement was further amended by a Further Supplemental Deed made on 24 May 2006 ("the May 2006 Deed").
- D. The Deed of Settlement was further amended by a Further Supplemental Deed made on 28 September 2006.
- E. The 2005 Deed and the May 2006 Deed (collectively "the Supplemental Deeds") have been lost or destroyed, and have been replaced by a Deed of Confirmation made on 12 March 2013.
- F. All of the above Deeds are taken together to constitute the Deed of Settlement.
- G. David Winston Turner one of the Original Trustees died on 30 July 2012.
- H. The Retiring Trustee wishes to retire from his office as trustee and the Continuing Trustee wishes to appoint the New Trustees to be trustees of the settlement and the New Trustees wish to accept such office.

RECORDS

1. That in consideration of these present and of the power contained in clause 22 of the Deed of Settlement the Retiring Trustee resigns as trustee.
2. That in consideration of these presents and of the powers contained in clause 41 of the *Trustee Act*, Victoria, the Continuing Trustee now appoints the New Trustees as trustees of the Turner Foundation to act as trustees along with the Continuing Trustee.
3. Each of the New Trustees consents to such appointment and accepts the trusts and powers contained in the Deed of Settlement.
4. The Retiring Trustee declares that all his estate and interest in the trust assets now vests in the Trustees.
5. The New Trustees acknowledge receipt of the assets as testified by their execution of this Deed.
6. Each of the New Trustees acknowledges that he is satisfied with the administration of the trusts of the Deed of Settlement to date and as a trustee now indemnifies and releases the Retiring Trustee from all claims arising out of his former position as trustee of the assets and his performance of the trusts.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first mentioned above

SIGNED SEALED AND DELIVERED by the )  
said **Paul William Brotchie** in the presence )  
of: [Redacted] )

\_\_\_\_\_  
Paul William Brotchie

Witness

SIGNED SEALED AND DELIVERED by the )  
said **Duncan George Forbes** in the presence )  
of: [Redacted] )

\_\_\_\_\_  
Duncan George Forbes

Witness

McKean Park

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SIGNED SEALED AND DELIVERED by the )  
said **James John McCarthy** in the presence )  
of: )



Witness



James John McCarthy

SIGNED SEALED AND DELIVERED by the )  
said **Bruce Campbell Humphries** in the )  
presence of: )



Witness



Bruce Humphries