

**Dated**

**2024**

**HELEN GILA WALLENHAUER**

**DAVID ANDREW MARTIN FLANNAGAN**

**DEED OF APPOINTMENT**

**Relating to the**

**JOSEFINA ELLIOTT WILL TRUST**



**HERTFORD OFFICE:** 72-74 Fore Street, Hertford, Hertfordshire, SG14 1BY

**WARE OFFICE:** 5 East Street, Ware, Hertfordshire, SG12 9HJ

**LOUGHTON OFFICE:** 145 High Road, Loughton, Essex, IG10 4LY

**LONDON OFFICE:** St. Clement's House, 27 Clement's Lane, London, EC4N 7AE (By appointment only)

**HARLOW OFFICE:** Harlow Enterprise Hub, Edinburgh Way, Harlow, CM20 2NQ (By appointment only)

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This Deed is dated the                      day of                      2024.

**BY**

**HELEN GILA WALLENHAUER** of 16 Ullswater Court, 1 Glebelands Avenue, London E18 2BD and **DAVID ANDREW MARTIN FLANNAGAN** of 72-74 Fore Street, Hertford, Hertfordshire SG14 1BY  
**(Current Trustees)**

## **BACKGROUND**

- (A) This Deed relates to the trust created under the Will dated the 24<sup>th</sup> of September 2008 of the late Josefina Elliott (the **Deceased**) who died on the 18<sup>th</sup> of January 2021 (**Trust**). Schedule 1 contains details of the Trust.
- (B) The Current Trustees are the trustees of the Trust and have a power of appointment under clause 2(b)(i) of the Trust (**Power**).
- (C) The Trust Fund currently comprises the sum of £26,407.40.
- (D) Helen Gila Wallenhauer (**Specified Beneficiary**) is a potential beneficiary of the Power.
- (E) The Trustees have previously exercised the Power in the Specified Beneficiary's favour, as recorded in Schedule 2.
- (F) The Trustees wish to ratify their previous exercises of the Power, and to once more exercise the Power in favour of the Specified Beneficiary.

## **OPERATIVE TERMS**

### **1. DEFINITIONS**

- 1.1 The definition in this clause 1.1 applies in this Deed.

**Specified Fund:** the sum of £10,000.

- 1.2 The definitions in the Trust apply in addition to those in this Deed.

### **2. EXERCISE OF THE POWER**

- 2.1 The Current Trustees exercise the Power to appoint the Specified Fund as set out in clause 2.2.

- 2.2 Beginning on the date of this Deed, the Trustees hold the Specified Fund on trust for the Specified Beneficiary absolutely.

### **3. RATIFICATION**

- 3.1 The Current Trustees ratify the previous instances that they have exercised the Power in favour of the Specified Beneficiary, as set out in the Second Schedule.

### **4. TRUSTEES' LIEN OVER SPECIFIED FUND**

The Trustees keep their lien over the Specified Fund.

### **5. SEPARATE COPIES OF THIS DEED**

Each signatory may execute a separate copy of this Deed. This Deed is not effective until each signatory has executed at least one copy. Each executed copy is an original, and the originals take effect together as a single deed.

This deed has been entered into on the date stated at the beginning of it.

#### **Schedule 1**

<b>Date</b>	<b>Document or event</b>	<b>Parties</b>
24 <sup>th</sup> September 2008	Will of Josefina Elliott	
18 <sup>th</sup> January 2021	Death of Josefina Elliott	
12 <sup>th</sup> March 2022	Grant of Probate	David Andrew Martin Flannagan & Helen Gila Wallenhauer

## **Schedule 2**

<b>Date</b>	<b>Sum appointed to Specified Beneficiary</b>
6 <sup>th</sup> July 2022	£2,000
21 <sup>st</sup> July 2022	£3,000
12 <sup>th</sup> September 2022	£5,000
22 <sup>nd</sup> November 2022	£10,000
28 <sup>th</sup> March 2023	£10,000
17 <sup>th</sup> July 2023	£10,000
26 <sup>th</sup> September 2023	£10,000
12 <sup>th</sup> February 2024	£10,000

**EXECUTED** as a deed on the date set out at the beginning of the document.

Delivered by **HELEN GILA**  
**WALLENHAUER** in the presence of:



Signature of **HELEN GILA**  
**WALLENHAUER**



Signature of witness

LUCIA ERIKA LUDWIG MARTIARENA

Full name of witness

11 FAIRSTEAD LODGE, ...

WOODFORD GREEN, IG8 0DJ

Address of witness

DEVELOPMENT MANAGER

Occupation of witness

Delivered by **DAVID ANDREW**  
**MARTIN FLANNAGAN** in the  
presence of:

.....  
Signature of **DAVID ANDREW**  
**MARTIN FLANNAGAN**

.....

Signature of witness

.....

Full name of witness

.....

.....

Address of witness

.....

Occupation of witness