

IRREVOCABLE INTER VIVOS

DEED OF GIFT

FROM: \_\_\_\_\_

TO: \_\_\_\_\_

IRREVOCABLE INTER VIVOS

DEED OF GIFT

THIS IS an irrevocable *inter vivos* Deed of Gift given by me, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, United States. My purpose in completing this document is to give effect to my wishes regarding gifts I wish to make during my lifetime to family and friends. To that end, I provide as follows:

1. I REVOKE all prior dispositions of every kind previously made by me respecting the subject matter of this irrevocable Deed of Gift, whether by a previous Deed of Gift or contained in my Will.
  
2. I APPOINT \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, United States to carry out my instructions in this irrevocable Deed of Gift. If \_\_\_\_\_ has predeceased me, or declines to act as my Agent, or becomes incapable of completing his or her duties, then I appoint \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, United States to be the Agent of this irrevocable Deed of Gift instead of \_\_\_\_\_, and I declare that the expression "Agent" wherever used throughout this irrevocable Deed of Gift means any alternate Agents.
  
3. I GIVE to my Agent all of the property specified in this irrevocable Deed of Gift upon the following trusts:
  - a. If I have died, or if I have lost contractual capacity, my Agent will transfer the following property to the respective Donee, \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_, United States as soon as possible:
    - i. \_\_\_\_\_ United States Dollars.
  
  - b. If \_\_\_\_\_ has predeceased me:
    - i. if I am still living, ownership of the property specified will revert to me or my legal personal representative(s); or

ii. if I have died, the property will revert back to my estate and will be dealt with according to the provisions of my Last Will and Testament.

4. I declare that, by delivering this irrevocable Deed of Gift to \_\_\_\_\_, I will be transferring legal ownership of the property to \_\_\_\_\_, even though I may continue to retain possession of the property. When I die or have lost contractual capacity, I direct my Agent(s) to deliver the property to \_\_\_\_\_ for his or her own use free and clear of all claims that may exist at that time against me or my estate.

5. In addition to any power conferred to my Agent by any statute or law, my Agent's powers will also include;

- a. without the consent of any person interested under my Last Will and Testament or other legal document, to make any agreement with any other person or corporation, and to compromise, settle or waive any claim or claims at any time and from time to time due to or by my estate in connection with the property referred to in this irrevocable Deed of Gift;
- b. to join in or take any action in connection with property held by my estate which forms the subject matter of this my irrevocable Deed of Gift, or to which my estate may be entitled, and to exercise any rights, powers and privileges which at any time may exist or arise in connection with such property;
- c. to do, on my behalf, any and all acts, which I could do if capable, subject to any conditions and restrictions contained herein and, without limiting the generality of the foregoing, to demand, recover and receive from all and every or any person or persons whosoever any investment or asset which forms the subject matter of this my irrevocable Deed of Gift. In the event that this irrevocable Deed of Gift is activated by my loss of mental capacity, my Agent(s) shall have the authority to act as my litigation guardian, if one is required to commence, continue, defend or represent me in any Court proceeding concerning any investment or asset held by my estate, or to which may be entitled, which forms the subject matter of this my irrevocable Deed of Gift;
- d. in the event that this irrevocable Deed of Gift becomes effective on my death, to join in or take any action in connection with any property held by my estate which forms the subject matter of this my irrevocable Deed of Gift to ensure that the same is withheld from any division, allocation or distribution of my estate, or of any part thereof, so as to prevent the

said investment or asset from being deemed to fall into my residuary estate, and accordingly be subject to the rules of testamentary succession.

e. in case of any difference or dispute with any person or persons concerning the subject matter of this irrevocable Deed of Gift, to submit any such differences and disputes to arbitration or umpirage in such manner as my said Agent(s) shall see fit.

6. Any person acting as an Agent pursuant to this irrevocable Deed of Gift will be entitled to be reimbursed for all expenses incurred in doing so, and in the event that he or she wishes, will be entitled to be compensated for his or her efforts in so doing, according to the usual scale of fees relating to such activities as if they had been carried out in the context of the administration of an estate, as it is not my intention that any person named as an Agent will be placed in a position where the discharge of his or her duties as an Agent causes him or her financial loss.

7. The provisions of this irrevocable Deed of Gift and any disputes which may arise will be interpreted, construed or determined in accordance with the laws of \_\_\_\_\_.

8. I indemnify and release my Agent(s) from any liability which may result from his or her carrying out my instructions in this matter. I instruct any person acting on my behalf pursuant to a Power of Attorney, if I am still alive, or appointed pursuant to any testamentary document if I have died, to hold my Agent(s) fully harmless out of the proceeds of my estate from all costs and expenses incurred by him or her in doing so.

In witness of this irrevocable inter vivos Deed of Gift encompassing 4 pages I have subscribed my name in \_\_\_\_\_, United States this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SIGNED, PUBLISHED AND DECLARED under seal be the above named \_\_\_\_\_ as and for his or her irrevocable inter vivos Deed of Gift in the presence of us both present at the same time, who at his or her request, in his or her presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

\_\_\_\_\_  
\_\_\_\_\_  
(First witness)

\_\_\_\_\_  
\_\_\_\_\_  
(Second witness)