

**AND COURT OF THE CAYMAN ISLANDS****PROBATE AND ADMINISTRATION**

CAUSE NO. OF 2022

PROBATE AND ADMINISTRATION NO. OF 2022

**IN THE ESTATE OF ETHEL MAY EBANKS, DECEASED****APPLICATION FOR THE GRANT OF PROBATE OF A WILL**

I, **Lisa Harriet Alveda Victoria Thoppil** of PO Box 31958 SMB, Grand Cayman KY1-1208, Cayman Islands being the applicant herein and Executrix, named Lisa Thoppil in the Will dated 14 April 2003 (“Will”) and of the codicil to the Will dated 14 April 2008 (“Codicil”) of the late **Ethel May Ebanks** formerly of 248 Town Hall Road, West Bay, Grand Cayman, Cayman Islands who died at the George Town Hospital in Grand Cayman, Cayman Islands on 30 April 2022, the Will and Codicil, at the time of death of the deceased, having been found left in the custody of Walkers, Cayman Islands attorneys at law and which Will and Codicil, together with the Certificate of Death, is annexed hereto, hereby apply for a Grant of Probate of the said Will and Codicil to me and I enclose herewith my Affidavit in that behalf and I undertake that in the event of such Grant being made to me I do make oath that I will do as follows-

- (a) within six months of the Grant of Probate to me of the said Will and Codicil I will prepare a true inventory of the said Estate and exhibit and file the same in the Probate Registry; and
- (b) within one year of such Grant to me, I will administer the said Estate according to the tenor of the Will and Codicil and the directions, if any of the

This document is filed by H. Phillip Ebanks, Attorney-at-Law, 19 Walkers Road, George Town, Grand Cayman, Cayman Islands.

Court, and file in the Probate Registry a general accounting for the whole of the assets of the said Estate.



LISA HARRIET ALVEDA VICTORIA THOPPIL

Dated this 19 day of May 2022

Filed this        day of        2022

I, **ETHEL MAY EBANKS**, Cayman Islands Passport No. 604006396, of 248 Town Hall Road, PO Box 324, West Bay, Grand Cayman, Cayman Islands, British West Indies revoke all my previous Wills and Codicils and declare this to be my Will in respect of all my property wheresoever situated at the date of my death which property is hereinafter referred to as "my Estate".

1. I APPOINT LISA THOPPIL of PO Box 31958SMB, Camelot Drive, George Town, Grand Cayman to be my Executrix and Trustee PROVIDED always that if she dies before me or before proving the Will or is unable or unwilling to act or if this appointment fails for any other reason I appoint:

1.1. MARIO E. EBANKS, Accountant of PO Box 1810GT, Coral Gables, West Bay, Grand Cayman

to be my Executor and Trustee. In this Will "the Trustee" means my Executrix and the Trustee or Trustees of the Will for the time being.

2. (a) I authorise my Trustees to employ if required professional persons to assist them in their executorship and trusteeship at such remuneration (to be paid out of my Estate) and on such other terms as shall be agreed.

(b) I authorise any of my Trustees who is a accountant or other person carrying on a business to charge normal professional fees for his work. This includes fees for work which a non-professional trustee could do personally.

3. I direct my Trustees to hold the whole of my Estate on trust either to retain or sell it and to pay: -

(a) any debts due by me at my death in any part of the world;

(b) funeral expenses;

(c) the expense of executorship; and

(d) (at their discretion) any taxes becoming lawfully payable in the Cayman Islands or elsewhere in respect of my Estate or any part thereof.

Should my Trustees or any of them become personally legally liable by reason of being or having been executors or trustees hereof for any probate, estate or succession or other death duties, or other similar capital transfer taxes in the Cayman Islands or elsewhere then whatever

personal liability is incurred shall be paid from my Estate so as to fully indemnify my Trustees or any of them.

The money remaining after making such payments and all the property in my Estate remaining unsold (and the assets from time to time representing that money and property) shall constitute the residue of my Estate.

4. I direct my Trustees to give a gift of my entire estate including my house and land at West Bay North West Block 4E Parcel 267 and all the contents thereof to Abraham Thoppil, Lisa Thoppil, Koshy Thopill and Elizabeth Thoppil absolutely.
5. I direct my Trustees that my funeral service should be held at the Chapel Church of God on Walkers Road and that I should be buried in the family plot in West Bay.
6. I authorise and empower the Trustees in their discretion to pay or apply all or any part of the capital and income (or either) of the then expectant presumptive or vested share or benefit of any beneficiary in my Estate for or towards the maintenance, education, advancement or benefit of any such beneficiary or to his guardian (whose receipt shall to that extent be a good and sufficient discharge to my Trustees in that behalf) and my Trustees shall not be bound to see the application thereof. The statutory powers of maintenance, accumulation and advancement shall also apply to this Will (Trusts Law (2001 Revision) Sections 32 and 33), but:-
  - (a) My Trustees shall have an absolute discretion whether or not to exercise the power of maintenance and if so to what extent;
  - (b) They need have no regard to other sources of income available when exercising that power; and
  - (c) The power of advancement shall be exercisable over the whole, and not only one-half, of a person's share or entitlement.
7. Any gift made hereunder which depends on the beneficiary surviving me by a specified period is a contingent gift which shall not vest in the beneficiary until the beneficiary has survived me by the specified period and any income produced by any gift between my death and the vesting of such gift shall be accumulated and added to such gift.

8. In addition to the powers conferred on trustees and executors at common law or under any statute my Trustees shall have the following powers:
- (a) to retain any property belonging to or forming part of my Estate in the actual state or condition in which the same shall be received by my Trustees for as long as my Trustees shall think proper without being answerable for any loss occasioned thereby;
  - (b) generally to perform all acts of ownership to the same extent and the same effect as a beneficial owner might have done and the decision and action of my Trustees whether actually made or taken in writing or implied from the acts of my Trustees shall be conclusive and binding on all the beneficiaries;
  - (c) to determine whether any sums received or disbursed are on account of capital or income or partly on account of one and partly on account of the other and in what proportions and the decision of my Trustees shall be conclusive and binding on all the beneficiaries;
  - (d) to act on the opinion or advice of or information obtained from any financial advisor, lawyer, valuer, surveyor, broker, auctioneer, or other expert or professional person and so that my Trustees shall not be responsible for any loss, depreciation or damage occasioned by acting in accordance therewith;
  - (e) to sell alienate or otherwise dispose of all or any property at any time forming part of my Estate in such manner by public or private treaty and for such price in money or other consideration and on such conditions as my Trustees may think proper and to receive the consideration price and grant discharge therefor.
9. My Trustees may appropriate any part of my said Estate in the actual condition or state of investment thereof at the time of appropriation in or towards satisfaction of the share of any beneficiary hereunder as to my Trustees seems just and reasonable according to the respective rights of the beneficiaries hereunder.
10. No income received after my death (whether in respect of a period wholly or only partly prior to my death) shall be apportioned or treated as capital and the rules in "Howe v Dartmouth" and "Alhussen v Whittle" shall not be applied.

- 11. My Trustees may deposit any documents of title relating to my Estate for safe custody with any bank.
- 12. It shall not be necessary for any investment forming part of my Estate to be registered in the name of my Trustees but the same may in the discretion of my Trustees be registered in the name or names of any nominee of my Trustees.
- 13. My Trustees shall not be required to give bond or security for the due and faithful administration of my Estate or for the discharge of the trusts hereby created, unless the same shall be required by law, in which case no surety shall be required.
- 14. This Last Will and Testament shall be governed by and construed in accordance with the laws of the Cayman Islands.

IN WITNESS WHEREOF I have hereunto set my hand this 14th day of April Two Thousand and Three.

SIGNED by the said Testator, **ETHEL MAY EBANKS**, as her Last Will in the presence of us present at the same time who at her request and in her presence and in the presence of each other have hereunto subscribed our names as witnesses

Ethel May Ebanks  
**ETHEL MAY EBANKS**

Grant  
 WITNESS TINA GRANT

Bush  
 WITNESS DONIVA BUSH

PO Box 265 GT, GRAND CAYMAN  
 ADDRESS

PO Box 265 G.T.  
 ADDRESS

EX. LEGAL SECRETARY  
 OCCUPATION

Receptionist  
 OCCUPATION

## CAYMAN ISLANDS DEATH REGISTRATION FORM

DEATH IN THE DISTRICT OF: **George Town**No.: **2022GT01160081**Place of Death:  
**George Town Hospital**Usual Residence of Deceased:  
**248 Town Hall Road, West Bay, Grand Cayman, Cayman Islands***Particulars of Deceased**Cause of Death*

Date of Death: **30 April 2022**

Full Name: **Ethel May Ebanks**

Sex: **Female** Condition: **Widowed**

Age: **104 Years 0 Months 9 Days**

Occupation or Calling: **Seamstress**

Birthplace: **Cayman Islands**

I (a) **Presumed Acute Myocardial Infarction**

(b) due to **Arteriosclerotic Heart Disease**

(c) due to **---**

II (Contributory) **---**

Certified by: **---**

Qualification: **---**

*Informant*Name: **Lisa Thoppil**Residence: **P.O.Box 31958 KY1-1208, Grand Cayman,  
Cayman Islands**Relationship to Deceased: **Grand Niece***Registrar's Certificate*Signed in my presence by the said informant **Lisa Thoppil**  
(or)Entered by me from the particulars of a certificate received from (Witness) **---**Date **12 May 2022**Signed **Ruby R. Douglas**  
REGISTRAR