

DEED OF VARIATION

THIS DEED OF VARIATION is made by and between the undersigned parties.

Parties:

1. Original Party: _____
Full Legal Name: _____
Address: _____
2. Other Party: _____
Full Legal Name: _____
Address: _____

Background:

A. The parties entered into a certain agreement (the “Original Agreement”) on terms agreed between them. B. The parties wish to vary the Original Agreement on the terms set out in this Deed of Variation. C. All capitalized terms used in this Deed which are defined in the Original Agreement shall have the same meaning in this Deed unless otherwise defined herein.

Agreed Terms:

1. Variation of the Original Agreement.

The Original Agreement is hereby varied as follows:

2. Effect of Variation.

Except as varied by this Deed, the Original Agreement remains in full force and effect and is hereby ratified and confirmed.

3. Representations and Warranties.

Each party represents and warrants that it has the power and authority to enter into and perform this Deed and that this Deed constitutes its legal, valid and binding obligation enforceable in accordance with its terms.

4. Entire Agreement.

This Deed, together with the Original Agreement (as varied), constitutes the entire agreement and understanding of the parties in respect of the subject matter hereof and supersedes all prior agreements, understandings and negotiations relating to the subject matter.

5. Governing Law and Jurisdiction.

This Deed shall be governed by and construed in accordance with the laws of the State of _____. The parties irrevocably submit to the exclusive jurisdiction of the courts of _____ County, _____, for the purposes of any suit, action or proceeding arising out of or in connection with this Deed.

6. Counterparts.

This Deed may be executed in any number of counterparts and by the parties on separate counterparts, each of which when executed shall be an original, but all the counterparts shall together constitute the same instrument.

7. No Oral Variation.

No variation of this Deed is effective unless it is in writing and signed by each of the parties.

8. Further Assurance.

Each party shall execute and deliver such further documents and do such acts as may be necessary or desirable to give full effect to this Deed.

9. Severability.

If any provision of this Deed is held to be invalid, illegal or unenforceable, the remaining provisions shall remain in full force and effect and the invalid provision shall be replaced with a valid provision which most nearly reflects the parties' original intent.

10. Binding Effect.

This Deed is binding on and enures for the benefit of the parties and their respective successors and permitted assigns.

FIRST PARTY SIGNATURE

SECOND PARTY SIGNATURE

Signature: _____

Signature: _____

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