

\_\_\_\_\_(STATE)  
\_\_\_\_\_  
\_\_\_\_\_  
COUNTY

**LAST WILL AND TESTAMENT**

OF

\_\_\_\_\_

I, \_\_\_\_\_, a resident of \_\_\_\_\_ County, in the state of \_\_\_\_\_, hereby make, publish and declare this to be my Last Will and Testament, in manner and form as follows, thus revoking all wills and codicils heretofore made by me:

For purposes of identification, I was born on \_\_\_\_\_, \_\_\_\_\_. I am married to \_\_\_\_\_, hereinafter referred to as my “spouse” and I am the parent of \_\_\_\_\_ hereinafter referred to as my “children”/”daughter”/”son”.

ARTICLE I

I direct that my just debts, my funeral expenses (including the cost of a suitable monument at my grave) and the costs of administration of my estate be paid out of the assets of my estate as soon as practicable after my death.

ARTICLE II

**I bequeath and devise to my spouse**, if my spouse shall survive me, all my estate and property, be that real, personal, or mixed (including, but not being limited to, my jewelry, wearing apparel, entire personal effects, all intangibles and all tangible personal property including motor vehicles owned by me at the time of my death, stocks, securities, choses in action, cash on savings or deposit or on hand and remaining after proper administration of my estate, and whatever other realty

and personalty I own at the time of my demise, wherever located) the same to be his/hers absolutely, in fee, to the exclusion of all others.

**However, if my spouse shall predecease me,** I devise and bequeath absolutely and in fee all my above-described estate and property, both real, personal, and mixed, and of whatever kind and nature, including both tangibles and intangibles and monies and cash on hand and remaining after property administration of my estate, to my “children”/”daughter”/”son”, the same to be their/her/his, share and share alike, in fee with the further instruction that if at the time of my death my “children”/”daughter”/”son” are/is less than eighteen years of age such property shall be paid to the Guardian of my “children”/”daughter”/”son” as named in this Last Will and Testament. If my “children”/”daughter”/”son” shall predecease me and leave issue surviving the surviving issue of said decedent shall represent and take his, hers or their deceased parent's intended share hereunder.

### ARTICLE III

If my spouse and I should die simultaneously or under such circumstances that the order of our deaths cannot be determined, then all bequests, devises, and provisions made herein to or the benefit of my spouse shall be void and all my estate shall pass as though my spouse had predeceased me in the precise manner stipulated in Article II, above.

### ARTICLE IV

I hereby appoint \_\_\_\_\_, to be the Guardian of my “children”/”daughter”/”son” who is less than eighteen years of age at the time of my death.

I hereby appoint my spouse, to be the Personal Representative and Executor of my estate. If my spouse be not living at the time of my death or for any reason refuses to act or is unable to act, or dies or resigns before my Estate is fully administered, then I direct that \_\_\_\_\_ of \_\_\_\_\_ County, in the state of \_\_\_\_\_, serve as my Personal Representative and Executor instead of my spouse.

I direct that the Guardian, Personal Representative and Executor as appointed hereunder shall not be required to furnish any bond or other security for the fulfillment of responsibilities under this my last will and testament.

ARTICLE V

The Personal Representative and Executor of this will shall receive no compensation for his or her services. The Guardian appointed hereunder shall receive \_\_\_\_\_ as compensation for his services hereunder.

STATEMENT OF GENDER IN THE FOLLOWING ATTESTATION AND SELF PROVING CLAUSES ARE IN THE MASCULINE FORM BECAUSE THE STATUTE SO REQUIRES, BUT THE THEIR USE HEREIN SHALL REFER TO THE MASCULINE OR FEMININE AS THE CONTEXT REQUIRES.

ATTESTATION

\_\_\_\_\_

TESTATOR

WITNESSES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (STATE)

\_\_\_\_\_ COUNTY

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_,  
known to me to be the testator and the witnesses, respectively, whose names are signed to the attached  
or foregoing instrument. The testator, declared to me and to the witnesses in my presence: That said  
instrument is his last will; that he had willingly signed or directed another to sign the same for him,  
and executed it in the presence of said witnesses as his free and voluntary act for the purposes therein  
expressed; or, that the testator signified that the instrument was his instrument by acknowledging to  
them his signature previously affixed thereto.

The said witnesses stated before me that the foregoing will was executed and acknowledged by the  
testator as his last will in the presence of said witnesses who, in his presence and at his request,  
subscribed their names thereto as attesting witnesses and that the testator, at the time of the execution  
of said will, was over the age of 18 years and of sound and disposing mind and memory.

Subscribed, sworn or affirmed, and acknowledged before me by \_\_\_\_\_,  
the testator, subscribed and sworn or affirmed before me by \_\_\_\_\_,  
\_\_\_\_\_ and \_\_\_\_\_ the Witnesses, this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_

Notary Public

### SELF PROVING

I, \_\_\_\_\_, the testator, sign my name to this instrument this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_ do hereby swear or affirm to the undersigned authority that I sign and execute

this instrument as my last will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

\_\_\_\_\_  
Testator

We, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_, the witnesses, sign our names to this instrument, do hereby swear or affirm to the undersigned authority that the Testator signs and executes this instrument as his Last Will and that he signs it willingly (or willingly directs another to sign for him), and that each of us, in the presence and hearing of the Testator hereby signs this Will as witnesses to the Testator's signing, and to the best of our knowledge the Testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

WITNESSES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ (State)  
\_\_\_\_\_ County

Subscribed, sworn or affirmed and acknowledged before me by \_\_\_\_\_, the Testator, and subscribed and sworn or affirmed before me by \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_, the Witnesses, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public