

LAST WILL AND TESTAMENT

LAST WILL OF _____ [name of testator]

I, _____ [name of testator], a resident of _____, [State], being of sound and disposing mind and memory and _____ [over the age of eighteen (18) years or lawfully married or having been lawfully married or a member of the armed forces of the United States or a member of an auxiliary of the armed forces of the United States or a member of the maritime service of the United States], and not being actuated by any duress, menace, fraud, mistake, or undue influence, do make, publish, and declare this to be my last Will, hereby expressly revoking all Wills and Codicils previously made by me.

I. **EXECUTOR:** I appoint _____ as Executor of this my Last Will and Testament and provide if this Executor is unable or unwilling to serve then I appoint _____ as alternate Executor. My Executor shall be authorized to carry out all provisions of this Will and pay my just debts, obligations and funeral expenses. I further provide my Executor shall not be required to post surety bond in this or any other jurisdiction, and direct that no expert appraisal be made of my estate unless required by law.

II. **GUARDIAN:** In the event I shall die as the sole parent of minor children, then I appoint _____ Guardian of said minor children. If this named Guardian is unable or unwilling to serve, then I appoint _____ alternate.

III. **MARITAL STATUS:** I declare that I am married to _____ [name of spouse] and that all references in this Will to my _____ [Husband or wife] are references to _____ [him or her].

IV. **SIMULTANEOUS DEATH OF SPOUSE:** In the event that my _____ [wife or husband] shall die simultaneously with me or there is no direct evidence to establish that my _____ [wife or husband] and I died other than simultaneously, I direct that I shall be deemed to have predeceased my _____ [wife or husband], notwithstanding any provision of law to the contrary, and that the provisions of my Will shall be construed on such presumption.

V. SIMULTANEOUS DEATH OF BENEFICIARY: If any beneficiary of this Will, including any beneficiary of any trust established by this Will, other than my _____ [wife or husband], shall die _____ within 60 days of my death or prior to the distribution of my estate, I hereby declare that I shall be deemed to have survived such person.

VI. BEQUESTS:

IN WITNESS WHEREOF, I, _____ [name of testator], hereby set my hand to this last Will, on each page of which I have placed my initials, on this _____ day of _____, at _____, [State].

_____ [signature]
_____ [typed name of testator]

The foregoing instrument [, consisting of _____ pages, including this page.] was signed in our presence by _____ [name of testator] and declared by _____ [him or her] to be _____ [his or her] last Will. We, at the request and in the presence of _____ [him or her] and in the presence of each other, have subscribed our names below as witnesses on this _____ day of _____.

_____ [Signature of Witness #1]
_____ [Typed name of Witness #1]
_____ [Address of Witness #1]

_____ [Signature of Witness #2]
_____ [Typed name of Witness #2]
_____ [Address of Witness #2]

_____ [Signature of Witness #3]
_____ [Typed name of Witness #3]
_____ [Address of Witness #3]