

# Last Will And Testament

OF

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## **1. RECITAL**

I, \_\_\_\_\_, residing at

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\_\_\_\_\_ being of sound mind, of legal age, not acting under duress or undue influence, and fully understanding the nature and extent of all my property and of this disposition thereof, do hereby make, publish, and declare this document to be my Last Will and Testament, and hereby revoke any and all other wills and codicils heretofore made by me either jointly or severally.

## **2. APPOINTMENT OF EXECUTORS**

2.1. I hereby nominate, constitute and appoint \_\_\_\_\_ as Executor of this Will or if this Executor is unable or unwilling to serve, then I appoint \_\_\_\_\_ as alternate Executor.

2.2. I hereby give and grant the Executor all powers and authority as are required or allowed in law, and especially that of assumption.

2.3. I hereby direct that my Executors shall not be required to furnish security and shall serve without any bond.

2.4. Pending the distribution of my estate my Executors shall have authority to carry on any business, venture or partnership in which I may have any interest at the time of my death.

2.5. My Executors shall have full and absolute power at their discretion to insure, repair, improve or to sell all or any assets of my estate, whether by public auction or private sale and shall be entitled to let any property in my estate on such terms and conditions as will be in the best interest of my beneficiaries.

2.6. My Executors shall have authority to borrow money for any purpose connected with the liquidation and administration of my estate and to that end may encumber any of the assets of my estate.

2.7. My Executors shall have authority to engage the services of attorneys, accountants and other advisors as they may deem necessary to assist with the execution of this last will and testament and to pay reasonable compensation for their services from my estate.

**3. DEBTS AND EXPENSES**

I direct that any and all my debts and expenses of my last illness due and payable, including funeral, memorial and burial expenses, the expenses of the administration of my estate, all estate, inheritance and similar taxes payable with respect to property included in my probate estate, including any interest and/or penalties thereon, shall be paid out of my estate pursuant with the laws of the State of \_\_\_\_\_, without apportionment or right of reimbursement from any beneficiary herein named in my Will.

**4. BEQUESTS**

4.1. I bequeath unto the persons named below, if he or she survives me by 30 (thirty) days, the following property:

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Property: \_\_\_\_\_

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Property: \_\_\_\_\_

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Property: \_\_\_\_\_

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Property: \_\_\_\_\_

4.2. If at the time of my death any of the property described in 4.1. above is no longer in my possession or part of my estate, then the bequest of such property shall be deemed null and void and shall no longer form part of this will and testament.

4.3. If any of the persons named in 4.1. above do not survive me by 30 (thirty) days, the property bequeathed to such a person shall become part of the remainder of my estate.

4.4. If any property described above is encumbered by debt which the beneficiary of such a bequest does not want to assume liability for, such property shall revert to the remainder of my estate.

## **5. REMAINING PROPERTY AND RESIDUAL ESTATE**

If any of my remaining property or residual estate cannot be readily sold and distributed, then it may be donated to any charitable organization or organizations of my Executor's choice. If any property cannot be readily sold or donated, my Executor may, without liability, dispose of such property as my Executor may deem appropriate. I authorize my Executor to pay as an administration expense of my estate the expense of selling, advertising for sale, packing, shipping, insuring and delivering such property.

## **6. SPECIAL REQUESTS**

I direct that upon my death my remains shall be [buried/cremated] at \_\_\_\_\_ and all funeral/cremation expenses shall be paid out of my estate.

## **7. GENERAL**

6.1. Words signifying one gender shall include the others and words signifying the singular shall include the plural and vice versa where appropriate.

6.2. Should any provision of this will be judged by an appropriate court of law as invalid it shall not affect any of the remaining provisions whatsoever.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
at this location \_\_\_\_\_ in the presence of the  
undersigned witnesses.

SIGNED: \_\_\_\_\_

**WITNESSES**

As witnesses, we declare that we are of sound mind and of legal age to witness a will and that to the best of our knowledge \_\_\_\_\_, the creator of this will, is of legal age to make a will, appears to be of sound mind and signed this will willingly and free of undue influence or duress. We declare that he / she signed this will in our presence as we then signed as witnesses in his / her presence and in the presence of each other witness, all being present at the same time.

Under penalty of perjury we declare these statements to be true and correct on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at this location \_\_\_\_\_.

**Witness 1**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

**Witness 2**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_