

# Everyone Needs a **WILL**

If you don't have a will, the state  
will decide who gets your property

Includes sample wills

**Martin S. Bender**  
**Attorney at Law**

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**WILL**





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will decide who gets your property

**Martin S. Bender**  
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A B C D E F G H I J



YOUR WILL IS AN IMPORTANT LEGAL DOCUMENT. HAVE A QUALIFIED LEGAL PROFESSIONAL REVIEW IT TO VERIFY THAT IT IS COMPLETE AND FAITHFUL TO YOUR WISHES, THAT IT WILL DIRECT YOUR PROPERTY WHERE YOU WANT IT TO GO, AND THAT IT WILL MINIMIZE THE TAXES ON YOUR ESTATE. LAWS CAN CHANGE; TELL YOUR ATTORNEY TO CONTACT YOU IF LAWS CHANGE IN SUCH A WAY AS TO MATERIALLY AFFECT YOUR WILL.

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# Introduction

The majority of Americans die without leaving a Will, or in legal language, these people die "intestate." Their families and loved ones must then become involved with the state laws and regulations that apply when someone dies intestate. After your relative or loved one has departed without leaving a Will, his or her property will be distributed to the person or persons designated by the applicable state law, which also decides who will be named as legal guardian of his or her minor children and of the minor children's property. In effect, the state decides who gets the property and who controls the destiny of the minor children of your relative or loved one. The deceased's intentions are disregarded by the court, since they are not known, and it is very likely that the decisions of the court will differ substantially from the intentions of the deceased. The only way that the deceased can legally make his or her intentions known after death, is by writing a legally valid Will.

What problems or risks do people tend to encounter in writing Wills? There are three main

stumbling blocks: leaving people out, failing to revise the Will when there are major fluctuations in property value, and neglecting to have an attorney review the Will at the outset and whenever there are changes made to it.

It is only by having a legally valid Will, that you, your family, and loved ones will have the security of knowing that the ultimate decisions regarding your home, your bank accounts, your car, and your children will be made by you and not by the state.

*Everyone Needs a Will* gives you the opportunity to write your own Will. Residents of every state except Louisiana may use this book to write a legal Will. After completing your Will, have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your will.

## How This Book Is Organized

---

This book is organized in the following way. There are 10 model Wills which also include a model Affidavit of Subscribing Witnesses. These models cover situations where you, the person who is preparing the Will, is either married or unmarried at the time of preparation of your Will, and further, which one of the following four categories you fall into:

a) have minor children but no adult children

b) have minor children and adult children

c) have adult children but no minor children

d) have no children

The first eight model Wills that follow are classified according to your marital status and category regarding children. Model Wills 9 and 10, show you how to make specific bequests,

which will be discussed later. The best way to understand what a Will is all about is to look at a model Will, which has been prepared for a fictitious person to serve as an example for you as to how you may prepare your Will.

Following the model Wills 2 through 10, in the Appendix, you will find the blank Will forms, instructions and accompanying Affidavit of Subscribing Witnesses forms. You will later use the appropriate blank Will form to make your Will.

Before we look at model Will number 1, let us discuss the legal terms for the persons referred to in the Will.

### **Testator and Testatrix**

The most important person is the Testator or Testatrix (Testator is male, Testatrix is female). The Testator or Testatrix is the person of legal age who prepares or writes the Will, and signs and dates the Will.

### **Executor and Executrix**

The Executor or Executrix (Executor is male, Executrix is female) is the person that you name in the Will to carry out the terms of your Will and to administer the estate (estate is all of the property that a person owns).

### **Beneficiary**

The Beneficiary (or Beneficiaries) is the person, persons, or organizations to whom you decide to leave all, or part, of your estate.

### **Witnesses**

The Witnesses are the people who after seeing the Testator (or Testatrix) sign and date the Will

and declare that this is his/her Will, witness the Will by signing their names and listing their home addresses at the end of the Will.

### **Guardian and Co-guardian**

The Guardian or Co-guardians (if you have minor children) are the person or persons whom you choose to be legally responsible for the care of your minor children and their property. Of course, you should check in advance with both guardians and Executors and obtain their agreement with regard to the roles they will be taking on. It is recommended that you arrange for auxiliary or "backup" Executors and guardians; discuss this with your attorney.

Now that you have an understanding of the legal terms that are a basic part of a Will, let us look at model Will number 1, which is the Last Will and Testament of Mary G. Smith, a married woman with minor children. Mary G. Smith is a fictitious person and is used for example purposes only. The model has a front side, a back side, and an optional Affidavit of Subscribing Witnesses. Each of these three (3) pages has an explanation page following that page. Please note that the Affidavit of Subscribing Witnesses is optional and is not needed in order to make the Will a legal Will. Please read Model Will number 1 and the accompanying explanation pages carefully.

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your will.





# Last Will and Testament of

Mary G. Smith

I, Mary G. Smith, presently residing at  
5 Bay Drive, Queens, New York,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this  
to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon  
as practicable after my death.

THIRD: I am presently married to David R. Smith.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal  
and mixed, of every kind and nature whatsoever and wheresoever situated, to my  
beloved husband absolutely and forever.

FIFTH: In the event that my husband shall predecease me, then and in that  
event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH"  
herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my husband or any children, or grandchildren, then,  
and in such event, I give, devise and bequeath my said Estate to the following named  
beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. Edward Jones, 123 East 23rd Street, NY, NY  
Name and address of beneficiary

b. American Cancer Society, New York Chapter  
Name and address of beneficiary

c. \_\_\_\_\_  
Name and address of beneficiary

d. \_\_\_\_\_  
Name and address of beneficiary

e. \_\_\_\_\_  
Name and address of beneficiary

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "WILL," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testatrix is Mary G. Smith, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testatrix. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testatrix's address.
5. The Testatrix must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from, or modify the provisions of a will, and must be signed, declared, and witnessed in the same way as a will.
7. Mary is including a provision to pay all of her outstanding bills and funeral expenses.
8. David is Mary's husband.
9. ESTATE—An estate is all of the property that a person owns.
10. GIVE, DEVISE, and BEQUEATH—This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
11. Mary leaves everything to her husband David.
12. Predecease—to die before. If a husband predeceases a wife, then he has passed away before her.
13. If David passes away before Mary, Mary leaves everything to her children.
14. PER STIRPES—An example of a per stirpes distribution is the following: If Mary G. Smith has 3 children (Beth, Karen, and Susan) and leaves her estate to her 3 children in equal amounts, then under a per stirpes distribution, if Beth passed away before her mother (and left two children), then the 1/3 share that Beth would have been entitled to is passed on to her children so that they each get 1/2 of their mother's share.
15. The Beneficiary is the person, persons, and/or organizations to whom you decide to leave all, or part, of your estate.
16. If David and Mary's children and grandchildren pass away before Mary, then Mary leaves everything to her brother Edward Jones.



17 SEVENTH: I hereby nominate and appoint my beloved husband to be the Executor of this,  
my Last Will and Testament, and I direct that no bond or other security shall be required of  
him in any jurisdiction. If my said husband is unable to serve as Executor, then I nominate  
and appoint Edward Jones ,

18 Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be  
required to post any bond or other security.

19 EIGHTH: I hereby nominate and appoint my husband as Guardian of the  
20 person and property of my minor children. In the event that my husband shall be unable to  
serve as Guardian, then, and in such event I nominate and appoint  
21 Edward Jones and his wife Kay Jones ,  
Guardian/Co-guardians of the person and property of my minor child or children, and I direct that  
no bond shall be required of any Guardian herein.

22 NINTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights  
and immunities conferred upon fiduciaries by law with full power to sell to mortgage and  
to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she  
deems best.

23 IN WITNESS WHEREOF, I hereunto set my hand this 11 day  
of March , 1989.

Mary G. Smith  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

24	<u>Jack White</u>	residing at	<u>123 Rose Street</u>
			<u>Queens, New York</u>
	<u>Lina White</u>	residing at	<u>123 Rose Street</u>
			<u>Queens, New York</u>
	<u>Fran White</u>	residing at	<u>123 Rose Street</u>
			<u>Queens, New York</u>

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

17. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testatrix) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
18. Mary appoints her husband to settle the affairs of her estate. If David is unavailable Mary appoints her brother Edward Jones.
19. The Guardian/Co-guardians—the person whom you choose to be legally responsible for the care of your minor children and their property.
20. The Minor child/children—children who are not yet of legal age.
21. Mary appoints David to be the guardian of their minor children. If David is unavailable Mary appoints her brother and sister-in-law.
22. Mary gives David total discretion subject to state law to carry out the terms of the will.
23. Mary dates and signs the will in front of the witnesses.
24. The Witnesses are the people who after seeing the Testatrix sign and date the will and declare that this is her will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF New York )

ss.:

COUNTY OF Queens )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Mary G. Smith  
Testatrix

2. Jack White  
Witness

3. Tina White  
Witness

4. Fran White  
Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testatrix having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989  
Tom Dolan  
Notary Public or Person  
Authorized to Take Oaths

TESTATRIX: Mary G. Smith

WITNESS: Jack White

WITNESS: Tina White

WITNESS: Fran White



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time, personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# General Information

## **Who may write a Will?**

Any person who is 18 years of age or older may make a Will. Under certain limited circumstances in some states, a person may make a Will if they are under the age of 18. Examples of such a circumstance may be someone who is married or serving in the armed forces of the United States of America. If you are under 18, do not make a Will until after you have consulted with a lawyer.

## **Selecting witnesses for your will**

It is not necessary that you reveal the contents of your Will to the witnesses. The witnesses are people of legal age who after seeing you sign and date your Will and declare that this is your Will, witness the Will by signing their names and listing their home addresses at the end of the Will. The witnesses must all be present when you sign the Will. Most states require only two (2) witnesses, but some states require three (3) witnesses. All 10 of the Will forms include 3 signature lines and it is suggested you use three (3) witnesses for your protection. The witnesses should be of sound mind and may not be named as beneficiaries in the Will.

## **Selecting an Executor or Executrix for your Will**

The most important reason for selecting an Executor or Executrix is that you trust that person completely. That person is usually a friend or relative and may be a beneficiary. Since you have complete trust in this person, it is not necessary for them to post a bond to insure that they fulfill their duties. This also avoids expense to the

Estate. For this reason all 10 will forms do not require the Executor or Executrix to post a bond.

## **Selecting a guardian for your minor child (children) and their property**

Generally speaking, if one parent dies, the other parent under normal circumstances would legally have the right to guardianship of the minor child (children). However, where both parents die simultaneously, or one dies and the other declines guardianship or is legally incapable of being appointed guardian, or one is already dead and the other now dies, you should name a guardian to cover such situations. It is with the greatest of thought that you must contemplate whom you would want to take care of your children and their property. After you have made a decision, you must ascertain that the person or couple that you desire to become guardian or co-guardians, are ready, willing, and able to undertake the responsibility for your child (children) and their property.

## **If I am married, what property can I give by will?**

A married couple's property ownership situation is usually more complicated than a single person's. In community property states, namely Arizona, California, Idaho, Nevada, New Mexico, Texas, Washington, and Wisconsin, spouses usually share property ownership even though one spouse's name is on the title or deed. In most common law property states, (namely, all states other than these listed in this paragraph, with the exception of Louisiana) a spouse is en-



titled to one third of the property left in the Will. In a few states, it is one-half.

If you use Will forms 1, 2, 3, or 4, then you need not be concerned with the information contained in this paragraph because these Will forms leave the entire estate to your surviving spouse. Likewise, if you use Will forms 9 and 10 and you leave at least 50% of your estate to your surviving spouse, you need not be further concerned. However, if you use Will forms 9 or 10, and it is your intention to leave less than 50% of your estate to your surviving spouse, then it is your responsibility to check the laws of the state of your residence or consult a local attorney, because if you leave your spouse less than the legal minimum, he or she may elect to "take against the Will," and you may cause your estate a legal problem.

### **What happens if I get divorced?**

If you get divorced, your Will is automatically revoked as to your former spouse in many states, but not in all states. Worse, in several states, divorce revokes the entire Will. Therefore, it is strongly urged, regardless of the state you live in, if you get divorced make a new Will.

### **Do I have to leave equal amounts of my estate to my children?**

No. While most parents choose to leave equal amounts of their estate to their children, this does not have to be the case. You can leave unequal amounts to your children, and you may use Will forms 9 or 10 for this purpose.

### **Can I disinherit my children or grandchildren?**

In most states you can disinherit anyone you choose other than your spouse. If you wish to disinherit a child you should state this in your Will (for example, "I disinherit my son Peter, for I do not want him to receive anything from my es-

tate"). Will forms 9 or 10 could be used for this purpose.

If you wish to disinherit a grandchild whose parent (your child) is dead, you should specifically disinherit the grandchild. Again, Will forms 9 or 10 could be used for this purpose.

If you wish to disinherit a grandchild whose parent (your child) is alive, it is not necessary to specifically disinherit the grandchild in the Will.

### **Federal estate tax considerations**

Federal estate taxes are due when an estate is greater than \$600,000.00. However, you are allowed to leave an unlimited amount of property to your spouse without incurring federal estate tax liability. (Of course, when the second spouse dies, this tax advantage is no longer in effect.) If your estate is substantial or complex, it is recommended that you consult a competent professional person for financial and tax planning.

### **Other tax considerations**

Each state varies as far as state estate taxes and inheritance taxes are concerned. Some states do not have any state estate taxes or inheritance taxes. If you have any questions regarding your state, contact the Department of Taxation in your state.

### **Selecting the Will form for your situation**

Now that you are more familiar with Will terms and how a Will form appears when filled out, the next step is to choose the Will form that is appropriate for your needs. There are 10 model Wills and accompanying model Affidavits of Subscribing Witnesses. You have seen the first model Will. Model Wills 2–10 appear on the following pages. After that are the blank Will forms, instructions, and accompanying Affidavit of Subscribing Witnesses forms. You will later use the appropriate blank Will form to make your Will.

Use the following chart to determine which Will form is appropriate for your situation.



**Married Woman  
with Minor Children**  
#1 Will  
#9 Will

**Married Man  
with Minor Children**  
#2 Will  
#9 Will

**Unmarried Individual  
with Minor Children**  
#5 Will  
#9 Will

**Married Woman  
without Minor Children**  
#3 Will  
#10 Will

**Married Man  
without Minor Children**  
#4 Will  
#10 Will

**Unmarried Individual  
without Minor Children**  
#6 Will  
#7 Will  
#8 Will  
#10 Will

**Guidelines for Wills #1 through #10.**

Wills #1, #2, #3, and #4 provide that a married man or married woman will leave all of their estate to their husband or wife, and that if their husband or wife does not survive them, then everything is left to their children equally. Will #9 which is for a married man, married woman, or unmarried person, who have minor children, has paragraph "SIXTH" which provides for you to leave specific gifts (bequests) to anyone (i.e., church, friends, etc.) and to divide up your estate as you see fit.

Will #10 is the same as Will #9 except that Will #10 is for a married man, married woman, or unmarried person without minor children, while Will #9 is for those same people with minor children.

Will #5 provides that an unmarried person leaves everything to their children in equal shares.

Use Will #5 if you have both minor children and adult children.

Will #6 provides that an unmarried person leaves everything to their adult children in equal shares.

Will #7 provides for an unmarried person with no children to leave their entire estate to one person (beneficiary) and in the event that person is not alive, then the estate is left to another person.

Will #8 provides for an unmarried person with no children to leave their estate to two or more persons (beneficiaries) equally. If two beneficiaries are named, they will each get 50% of the estate, if three are named they will each get 33% of the estate, etc....

To summarize, #1 Will is to be used by a married woman with minor children.

#2 Will is to be used by a married man with minor children.

The #1 and #2 Wills would be used by a married couple with minor children.

**#3 Will is to be used by a married woman without minor children.**

**The #4 Will is to be used by a married man without minor children.**

**The #3 and #4 Wills would be used by a married couple without minor children.**

**#5 Will is to be used by an unmarried person with minor children, or an unmarried person with minor children and adult children.**

**#6 Will is to be used by an unmarried person with adult children.**

**#7 Will is to be used by an unmarried person with no children and one beneficiary.**

**#8 Will is to be used by an unmarried person with no children and two or more beneficiaries.**

**#9 Will is to be used by a married woman, married man, or unmarried person with minor children making specific bequests.**

A "specific bequest" is the giving of an identifiable thing which is part of the Testator's estate or a stated sum of money to a specific person. Examples, are as follows:

*"I give, devise, and bequeath my 1988 FORD ESCORT to my nephew, Jeff Jones," or*

*"I give, devise, and bequeath my gold diamond necklace to my friend, Sally Smith," or*

*"I give, devise, and bequeath \$500.00 to my nephew, Albert Green."*

**#10 Will is to be used by a married woman, married man, or unmarried person without minor children making specific bequests.**

**Use #9 Will only if you have minor children (or minor children and adult children).**

Now is the time to fill out the Will form which is most appropriate for your situation. If you are having any difficulties with any of the materials,

please do not hesitate to seek additional assistance. By using *Everyone Needs a Will* to organize your thoughts and wishes you will save time and expense when you verify your Will with a lawyer or other professional. Select the Will which applies to your particular situation and turn to that number model Will. Read the model Will. Then remove or photocopy onto a single sheet of paper that number Will form from the back of these materials, along with the instructions for that Will form, and if you choose, the affidavit of subscribing witnesses form and the instructions for the affidavit (which are shown after the model Wills).

Place the model Will so that you can look at the model Will, the Will form, and the instructions for that Will form at the same time. Complete the Will form, and then call in your witnesses and sign the Will in the presence of the witnesses, carefully following the above instructions. Then, have a qualified legal professional review the Will to verify that it is complete and faithful to your wishes.

### **I've completed my Will—storage and safekeeping**

Congratulations! You have completed your Will. It goes without saying that a Will be kept in a safe place. The Executor or Executrix should know exactly where the Will is located. Your home or office are among the best places to store your Will. Safe deposit boxes can cause problems, after a death, since under the laws of certain states, the safe deposit box is sealed by government authorities. That is why your home or office is the preferred location to store your will.

### **Under what circumstances should I update my Will?**

1. The Executor or Executrix or alternate dies.
2. The guardian or co-guardian or alternate dies.
3. A beneficiary or alternate-beneficiary dies.

4. You get married.
5. You get divorced.
6. You have a new child or a living child dies.
7. You change your mind as to beneficiaries or bequests.
8. Major change in the value of your estate (if affects the intent of your Will; for example you bequeath a car to your friend, and the car is stolen and never returned, or, if you win the lottery and now require estate planning).





# Last Will and Testament of

David R. Smith

I, David R. Smith, presently residing at  
5 Bay Drive, Queens, New York,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this  
to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon  
as practicable after my death.

THIRD: I am presently married to Mary G. Smith.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal  
and mixed, of every kind and nature whatsoever and wheresoever situated, to my  
beloved wife absolutely and forever.

FIFTH: In the event that my wife shall predecease me, then and in that  
event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH"  
herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my wife or any children, or grandchildren, then,  
and in such event, I give, devise and bequeath my said Estate to the following named  
beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. Edward Jones, 123 East 23rd Street, NY, NY  
Name and address of beneficiary

b. \_\_\_\_\_  
Name and address of beneficiary

c. \_\_\_\_\_  
Name and address of beneficiary

d. \_\_\_\_\_  
Name and address of beneficiary

e. \_\_\_\_\_  
Name and address of beneficiary

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "Will," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testator is David R. Smith, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator's address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from, or modify the provisions of a will, and must be signed, declared, and witnessed in the same way as a will.
7. David is including a provision to pay all of his outstanding bills and funeral expenses.
8. Mary is David's wife.
9. ESTATE — An estate is all of the property that a person owns.
10. GIVE, DEVISE, and BEQUEATH — This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
11. David leaves everything to his wife, Mary.
12. Predecease — to die before. If a wife predeceases a husband, then she has passed away before him.
13. If Mary passes away before David, David leaves everything to his children.
14. PER STIRPES — An example of a per stirpes distribution is the following: If David R. Smith has 3 children (Beth, Karen, and Susan) and leaves his estate to his 3 children in equal amounts, then under a per stirpes distribution, if Beth passed away before her father (and left two children), then the 1/3 share that Beth would have been entitled to is passed on to her children so that they each get 1/2 of their mother's share.
15. The Beneficiary is the person, persons, and/or organizations to whom you decide to leave all, or part of your estate.
16. If David and Mary's children and grandchildren pass away before David, then David leaves everything to his brother-in-law Edward Jones. David did not have to name a relative. David could have named a friend, friends, other relatives, or organizations such as a church. Each beneficiary named in paragraph 6 would take equally with the other beneficiary or beneficiaries. For example, if David named 2 friends and the First Presbyterian Church, then each beneficiary would receive 1/3 of David's estate.



17 SEVENTH: I hereby nominate and appoint my beloved wife to be the Executrix of this,  
18 my Last Will and Testament, and I direct that no bond or other security shall be required of her  
in any jurisdiction. If my said wife is unable to serve as Executrix, then I nominate and  
appoint Edward Jones, Executor/Executrix of this my Last Will and Testament,  
and I further direct that he/she not be required to post any bond or other security.

19 EIGHTH: I hereby nominate and appoint my wife as Guardian of the person and  
20 property of my minor children. In the event that my wife shall be unable to serve as Guardian,  
21 then, and in such event I nominate and appoint Edward Jones + his wife Kay Jones, Guardian/-  
Co-guardians of the person and property of my minor child or children, and I direct that no  
bond shall be required of any Guardian herein.

22 NINTH: I give to my Executor/Executrix, authority to exercise all the powers, duties,  
rights, and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to  
lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

23 IN WITNESS WHEREOF, I hereunto set my hand this 11 day  
of march, 1989.

David R. Smith  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and  
Testament, in the presence of us, who at his request, in his presence, and in the presence of one another  
have hereunto subscribed our names as attesting witnesses, the day and year last written above.

24	<u>Jack White</u>	residing at	<u>123 Rose Street</u> <u>Queens, New York</u>
	<u>Tina White</u>	residing at	<u>123 Rose Street</u> <u>Queens, New York</u>
	<u>Fran White</u>	residing at	<u>123 Rose Street</u> <u>Queens, New York</u>

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

17. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
18. David appoints his wife to settle the affairs of his estate. If Mary is unavailable, David appoints his brother-in-law Edward Jones.
19. The Guardian/Co-guardians — the person whom you choose to be legally responsible for the care of your minor children and their property.
20. The Minor child/children — children who are not yet of legal age.
21. David appoints Mary to be the guardian of their minor children. If Mary is unavailable, David appoints her brother and sister-in-law.
22. David gives Mary total discretion subject to state law to carry out the terms of the will.
23. David dates and signs the will in front of the witnesses.
24. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and must see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF New York )

ss.:

COUNTY OF Queens )

On march 11, 1989, personally appeared before me, the undersigned author

1. David R. Smith

Testator

2. Jack White

Witness

3. Tina White

Witness

4. Fran White

Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

Mark Davis

Notary Public or Person

Authorized to Take Oaths

TESTATOR: David R. Smith

WITNESS: Jack White

WITNESS: Tina White

WITNESS: Fran White



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Sally B. Hill

I, Sally B. Hill, presently residing at  
1 main street, Chicago, Illinois,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this  
to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon  
as practicable after my death.

THIRD: I am presently married to Frank S. Hill.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal  
and mixed, of every kind and nature whatsoever and wheresoever situated, to my  
beloved husband absolutely and forever.

FIFTH: In the event that my husband shall predecease me, then and in that  
event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH"  
herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my husband or any children, or grandchildren,  
then, and in such event, I give, devise and bequeath my said Estate to the following named  
beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. Allen Singer, 20 main Street, Chicago, IL  
Name and address of beneficiary

b. American Cancer Society, Chicago Chapter  
Name and address of beneficiary

c. \_\_\_\_\_  
Name and address of beneficiary

d. \_\_\_\_\_  
Name and address of beneficiary

e. \_\_\_\_\_  
Name and address of beneficiary

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a “WILL,” is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testatrix is Sally B. Hill, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testatrix. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testatrix’s address.
5. The Testatrix must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Sally is including a provision to pay all of her outstanding bills and funeral expenses.
8. Frank is Sally’s husband.
9. ESTATE — An estate is all of the property that a person owns.
10. GIVE, DEVISE, and BEQUEATH — This is the act of giving away your real estate and personal property by will. “Devise” relates to real estate and “bequeath” relates to personal property.
11. Sally leaves everything to her husband Frank.
12. Predecease — to die before. If a husband predeceases a wife, then he has passed away before her.
13. If Frank passes away before Sally, Sally leaves everything to her children.
14. PER STIRPES — An example of a per stirpes distribution is the following: If Sally B. Hill has 3 children (Beth, Karen, and Susan) and leaves her estate to her 3 children in equal amounts, then under a per stirpes distribution, if Beth passed away before her mother (and left two children), then the 1/3 share that Beth would have been entitled to is passed on to her children so that they each get 1/2 of their mother’s share.
15. The Beneficiary is the person, persons, and/or organizations to whom you decide to leave all, or part of your estate.
16. If Frank and Sally’s children and grandchildren pass away before Sally, then Sally leaves everything to her brother Allen Singer and the American Cancer Society in equal shares.



17. SEVENTH: I hereby nominate and appoint my beloved husband to be the Executrix of  
this, my Last Will and Testament, and I direct that no bond or other security shall be required  
of him in any jurisdiction. If my said husband is unable to serve as Executor, then I nominate and  
18 appoint Allen Singer, Executor/Executrix of this my Last Will and Testament,  
and I further direct that he/she not be required to post any bond or other security.

19 EIGHTH: I give to my Executor/Executrix, authority to exercise all the powers, duties,  
rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to  
lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

20 IN WITNESS WHEREOF, I hereunto set my hand this 11 day  
of march, 1989.

Sally B Hill  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last  
Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one  
another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

21	<u>Mark Collins</u>	residing at	<u>420 Lincoln Ave.</u> <u>Chicago, IL</u>
	<u>Linda Collins</u>	residing at	<u>420 Lincoln Ave.</u> <u>Chicago, IL</u>
	<u>Ralph Collins</u>	residing at	<u>420 Lincoln Ave.</u> <u>Chicago, IL</u>

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

17. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testatrix) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
18. Sally appoints her husband to settle the affairs of her estate. If Frank is unavailable Sally appoints her brother Allen Singer.
19. Sally gives Frank total discretion subject to state law to carry out the terms of the will.
20. Sally dates and signs the will in front of the witnesses.
21. The Witnesses are the people who after seeing the Testatrix sign and date the will and declare that this is her will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF Illinois )

ss.:

COUNTY OF Cook )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Sally B. Hill  
Testatrix

2. mark Collins  
Witness

3. Linda Collins  
Witness

4. Ralph Collins  
Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testatrix having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

TESTATRIX: Sally B Hill

WITNESS: mark Collins

WITNESS: Linda Collins

WITNESS: Ralph Collins

mark Davis  
Notary Public or Person  
Authorized to Take Oaths



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time, personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Frank S. Hill

I, Frank S. Hill, presently residing at  
7 main Street, Chicago, Illinois,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this  
to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon  
as practicable after my death.

THIRD: I am presently married to Sally B. Hill.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal  
and mixed, of every kind and nature whatsoever and wheresoever situated, to my  
beloved wife absolutely and forever.

FIFTH: In the event that my wife shall predecease me, then and in that  
event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH"  
herein, to my beloved child or children or grandchildren surviving me,  
per stirpes.

SIXTH: In the event I am not survived by my wife or any children, or grandchildren, then,  
and in such event, I give, devise and bequeath my said Estate  
to the following named beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. Allen Singer, 20 main Street, Chicago, Illinois  
Name and address of beneficiary

b. American Cancer Society, Chicago Chapter  
Name and address of beneficiary

c. \_\_\_\_\_  
Name and address of beneficiary

d. \_\_\_\_\_  
Name and address of beneficiary

e. \_\_\_\_\_  
Name and address of beneficiary

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2. The Testator is Frank S. Hill, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator's address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from, or modify the provisions of a will, and must be signed, declared, and witnessed in the same way as a will.
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8. Sally is Frank's wife.
9. ESTATE — An estate is all of the property that a person owns.
10. GIVE, DEVISE, and BEQUEATH — This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
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13. If Sally passes away before Frank, Frank leaves everything to his children.
14. PER STIRPES — An example of a per stirpes distribution is the following: If Frank S. Hill has 3 children (Beth, Karen, and Susan) and leaves his estate to his 3 children in equal amounts, then under a per stirpes distribution, if Beth passed away before her father (and left two children), then the 1/3 share that Beth would have been entitled to is passed on to her children so that they each get 1/2 of their mother's share.
15. The Beneficiary is the person, persons, and/or organizations to whom you decide to leave all, or part of your estate.
16. If Frank and Sally's children and grandchildren pass away before Frank, then Frank leaves everything to his brother-in-law Allen Singer and the American Cancer Society in equal shares.



17 SEVENTH: I hereby nominate and appoint my beloved wife to be the Executrix of  
this, my Last Will and Testament, and I direct that no bond or other security shall be required  
18 of her in any jurisdiction. If my said wife is unable to serve as Executrix, then I nominate  
and appoint Allen Singer, Executor/Executrix of this my Last Will and  
Testament, and I further direct that he/she not be required to post any bond or other security.

19 EIGHTH: I give to my Executor/Executrix, authority to exercise all the powers,  
duties, rights and immunities conferred upon fiduciaries by law with full power to sell to  
mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms  
as he/she deems best.

20 IN WITNESS WHEREOF, I hereunto set my hand this 11 day  
of march, 1989.

Frank S. Hill  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will  
and Testament, in the presence of us, who at his request, in his presence, and in the presence of one  
another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

21 Mark Collins residing at 420 Lincoln Ave.  
Chicago, Illinois  
Linda Collins residing at 420 Lincoln Ave.  
Chicago, Illinois  
Ralph Collins residing at 420 Lincoln Ave.  
Chicago, Illinois

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

17. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
18. Frank appoints his wife to settle the affairs of his estate. If Sally is unavailable Frank appoints his brother-in-law Allen Singer.
19. Frank gives Sally total discretion subject to state law to carry out the terms of the will.
20. Frank dates and signs the will in front of the witnesses.
21. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF Illinois )

ss.:

COUNTY OF Cook )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Frank S. Hill

Testator

2. Mark Collins

Witness

3. Linda Collins

Witness

4. Ralph Collins

Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

Mark Davis

Notary Public or Person  
Authorized to Take Oaths

TESTATOR: Frank S. Hill

WITNESS: Mark Collins

WITNESS: Linda Collins

WITNESS: Ralph Collins



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Roger T. Smith

I,

Roger T. Smith

, presently residing at

2 River Ave., San Francisco, California

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: a. I am presently not married.

b. I am the parent of the following child/children:

1. Stanley Smith

2. Edna Smith

3. Barry Smith

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved child or children or grandchildren surviving me, per stirpes.

FIFTH: I nominate and appoint Carol Brown, as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint

Joyce Brown, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SIXTH: In the event that any child/children of mine shall be minors at my death and shall not be survived by their natural parent, I then nominate and appoint

Carol Brown as Guardian of the person and property of my minor child/children. In the event that Carol Brown shall be unable or unwilling to serve as Guardian, then, and in such event I nominate and appoint

Joyce Brown Guardian of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.



# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "Will," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testator is Roger T. Smith, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator's address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Roger is including a provision to pay all of his outstanding bills and funeral expenses.
8. Roger is not married and is the father of three children.
9. ESTATE — An estate is all of the property that a person owns.
10. GIVE, DEVISE, and BEQUEATH — This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
11. Roger leaves everything to his children.
12. PER STIRPES — An example of a per stirpes distribution is the following: If Roger T. Smith has 3 children (Sally, Edna, and Barry) and leaves his estate to his 3 children in equal amounts, then under a per stirpes distribution, if Edna passed away before her father (and left two children), then the 1/3 share that Edna would have been entitled to is passed on to her children so that they each get 1/2 of their mother's share.
13. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
14. Roger appoints Carol Brown to settle the affairs of his estate. If Carol is unavailable Roger appoints Joyce Brown.
15. The Guardian/Co-guardians — the person whom you choose to be legally responsible for the care of your minor children and their property.
16. The minor child/children — children who are not yet of legal age.
17. Roger appoints Carol Brown to be the guardian of his minor children. If Carol is unavailable, Roger appoints Joyce Brown.



18 SEVENTH: I give to my Executor/Executrix, the authority to exercise all the powers,  
duties, rights and immunities conferred upon fiduciaries by law with full power to sell to  
mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms  
as he/she deems best.

19 IN WITNESS WHEREOF, I hereunto set my hand this 11 day of  
March, 1989.

Roger J. Smith

(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and  
Testament, in the presence of us, who at his request, in his presence, and in the presence of one another  
have hereunto subscribed our names as attesting witnesses, the day and year last written above.

20 Sol Green residing at 10 Hall Place  
San Francisco, CA  
Heidi Green residing at 10 Hall Place  
San Francisco, CA  
Tom Brown residing at 27 Center Ave  
San Francisco, CA

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

18. Roger gives Carol total discretion subject to state law to carry out the terms of the will.
19. Roger dates and signs the will in front of the witnesses.
20. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF California )  
ss.:  
COUNTY OF San Francisco )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Roger T. Smith  
Testator

2. Sol Green  
Witness

3. Heidi Green  
Witness

4. Tom Brown  
Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

Mark Davis  
Notary Public or Person  
Authorized to Take Oaths

TESTATOR: Roger T. Smith

WITNESS: Sol Green

WITNESS: Heidi Green

WITNESS: Tom Brown



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Judith S. Jacobs

I, Judith S. Jacobs, presently residing at

15 Water Street, Miami, Florida

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: a. I am presently not married.

b. I am the parent of the following child/children:

1. Steven Jacobs

2. Randy Jacobs

3. David Jacobs

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved child or children or grandchildren surviving me, per stirpes.

FIFTH: I nominate and appoint Steven Jacobs, as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint Randy Jacobs, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SIXTH: I give to my Executor/Executrix, the authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "Will," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testatrix is Judith S. Jacobs, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testatrix. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testatrix's address.
5. The Testatrix must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Judith is including a provision to pay all of her outstanding bills and funeral expenses.
8. Judith is not married and is the mother of three children.
9. Estate — An estate is all of the property that a person owns.
10. Give, devise, and bequeath — This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
11. Judith leaves everything to her children.
12. Per stirpes — An example of a per stirpes distribution is the following: If Judith S. Jacobs has 3 children (Steven, Randy, and David) and leaves her estate to her 3 children in equal amounts, then under a per stirpes distribution, if Randy passed away before his mother (and left two children), then the 1/3 share that Randy would have been entitled to is passed on to his children so that they each get 1/2 of their father's share.
13. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testatrix) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
14. Judith appoints Steven Jacobs to settle the affairs of her estate. If Steven is unavailable, Judith appoints Randy Jacobs.
15. Judith gives Steven total discretion subject to state law to carry out the terms of the will.



16

IN WITNESS WHEREOF, I hereunto set my hand this 11 day of  
march, 1989.

Judith S. Jacobs

(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

17 Carolyn Jones

residing at 800 Collins Avenue  
Miami, Florida

Harry Jones

residing at 800 Collins Avenue  
Miami, Florida

Robert Jones

residing at 800 Collins Avenue  
Miami, Florida

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

16. Judith dates and signs the will in front of the witnesses.
17. The Witnesses are the people who after seeing the Testatrix sign and date the will and declare that this is her will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

**Affidavit of Subscribing Witnesses**

STATE OF Florida )  
ss.:  
COUNTY OF Dade )

On March 11, 1989, personally appeared before me, the undersigned authority

1. Judith S. Jacobs  
Testatrix

2. Carolyn Jones  
Witness

3. Harry Jones  
Witness

4. Robert Jones  
Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testatrix having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on March 11, 1989

Mark Davis  
Notary Public or Person  
Authorized to Take Oaths

TESTATRIX: Judith S. Jacobs

WITNESS: Carolyn Jones

WITNESS: Harry Jones

WITNESS: Robert Jones



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Robert Murray

I, Robert Murray, presently residing at

27 Astor Place, Detroit, Michigan

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct that all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently not married.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to

Larry Adams

FIFTH: In the event that I am not survived by Larry Adams

I give, devise and bequeath my said estate to Paul Andrews

SIXTH: I nominate and appoint Larry Adams

as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint

Paul Andrews, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SEVENTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "Will," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testator is Robert Murray, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator's address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Robert is including a provision to pay all of his outstanding bills and funeral expenses.
8. Robert is not married.
9. Estate — An estate is all of the property that a person owns.
10. Give, devise, and bequeath — This is the act of giving away your real estate and personal property by will. "Devise" relates to real estate and "bequeath" relates to personal property.
11. Robert leaves everything to his friend Larry Adams.
12. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
13. Robert appoints Larry Adams to settle the affairs of his estate.
14. If Larry is unavailable Robert appoints Paul Andrews.
15. Robert gives Larry total discretion subject to state law to carry out the terms of the will.



16

IN WITNESS WHEREOF, I hereunto set my hand this 11 day of  
march, 1989.

Robert Murray

(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

17

Rosalind Bell

residing at

25 Central Avenue

Detroit, Michigan

Samuel Bell

residing at

25 Central Avenue

Detroit, Michigan

Steven Crane

residing at

50 Central Ave.

Detroit, Michigan

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

16. Robert dates and signs the will in front of the witnesses.

17. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF Michigan)  
ss.:

COUNTY OF Wayne)

On march 11, 1989, personally appeared before me, the undersigned authority

1. Robert Murray  
Testator

2. Rosalind Bell  
Witness

3. Samuel Bell  
Witness

4. Steven Crane  
Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

Mark Davis  
Notary Public or Person  
Authorized to Take Oaths

TESTATOR: Robert Murray

WITNESS: Rosalind Bell

WITNESS: Samuel Bell

WITNESS: Steven Crane



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Eric Carter

I,

Eric Carter

, presently residing at

555 Center Street, Dallas, Texas

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct that all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently not married.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to the following names beneficiaries or their survivors in equal shares.

a. Rose Carter, 1 Spruce Street, Dallas, Texas

Name and address of beneficiary

b. Michael Carter, 1 Spruce Street, Dallas, Texas

Name and address of beneficiary

c.

Name and address of beneficiary

d.

Name and address of beneficiary

e.

Name and address of beneficiary

FIFTH: I nominate and appoint Rose Carter, as Executor/Executrix of this Will. In the even he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint Michael Carter, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a “Will,” is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testator is Eric Carter, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator’s address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Eric is including a provision to pay all of his outstanding bills and funeral expenses.
8. Eric is not married.
9. Estate — An estate is all of the property that a person owns.
10. Give, devise, and bequeath — This is the act of giving away your real estate and personal property by will. “Devise” relates to real estate and “bequeath” relates to personal property.
11. The Beneficiary is the person, persons and/or organizations to whom you decide to leave all or part of your estate.
12. Eric leaves everything to his mother and father in equal shares. Eric did not have to name a relative. Eric could have named a friend, friends, other relatives, or organizations such as a church.
13. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
14. Eric appoints his mother to settle the affairs of his estate. If his mother is unavailable Eric appoints his father.



15 SIXTH: I give to my Executor/Executrix, the authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

16 IN WITNESS WHEREOF, I hereunto set my hand this 11 day of March, 1989.

Eric Carter

(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

17	<u>Nick Reid</u>	residing at	<u>36 Chambers St.</u>
			<u>Dallas, Texas</u>
	<u>Barry Black</u>	residing at	<u>365 Bowery Ave.</u>
			<u>Dallas, Texas</u>
	<u>Wilma Black</u>	residing at	<u>365 Bowery Ave.</u>
			<u>Dallas, Texas</u>

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

15. Eric gives his mother total discretion subject to state law to carry out the terms of the will.
16. Eric dates and signs the will in front of the witnesses.
17. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

STATE OF Texas)

COUNTY OF Dallas)

1. Eric Carter  
Testator

3. Barry Black  
Witness

WITNESS: Wilma Black



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit) which is recognized in most states is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time, personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Jean Campbell

I,

Jean Campbell

, presently residing at

2630 Grand Street, Philadelphia, PA

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I hereby nominate and appoint Larry Campbell

as Executor/Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him/her in any jurisdiction. If my said Executor/Executrix hereinabove named is unable to serve as Executor/Executrix then I nominate and appoint

Mildred Turner

, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

FOURTH: I hereby nominate and appoint Larry Campbell

as Guardian of the person and property of my minor children. In the event that said Guardian hereinabove named shall be unable to serve as Guardian, then, and in such event I nominate and appoint Mildred Turner, Guardian/Co-guardians of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.

FIFTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

SIXTH:

I hereby give devise and bequeath my entire estate to my husband Larry Campbell, except for the following specific bequests: I give \$1,000.00 to the American Cancer Society, Philadelphia Chapter. I give my antique watch to my sister Julie Brown. I give \$500.00 to my nephew Martin Davis. If my husband shall die before me, then with the exception of the above bequests, I leave my entire estate to my son Rodney Campbell.



# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a “Will,” is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testatrix is Jean Campbell, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testatrix. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testatrix’s address.
5. The Testatrix must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from or modify the provisions of a will, and must be signed, declared and witnessed in the same way as a will.
7. Jean is including a provision to pay all of her outstanding bills and funeral expenses.
8. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testatrix) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
9. Jean appoints Larry Campbell to settle the affairs of her estate. If Larry is unavailable Jean appoints Mildred Turner.
10. The Guardian/Co-guardians — the persons whom you choose to be legally responsible for the care of your minor children and their property.
11. The Minor child/children — children who are not yet of legal age.
12. Jean appoints Larry Campbell to be the guardian of her minor children. If Larry is unavailable, Jean appoints Mildred Turner.
13. Jean gives Larry total discretion subject to state law to carry out the terms of the will.
14. Jean leaves her estate to her husband Larry Campbell except for the described specific bequests to the American Cancer Society, Julie Brown, and Martin Davis. Jean also includes a provision to leave her estate to her son Rodney Campbell if her husband dies before her.



15 IN WITNESS WHEREOF, I hereunto set my hand this 11 day of March, 1989.

Jean Campbell  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

16	<u>Gerry Gordon</u>	residing at	<u>25 State Street</u> <u>Philadelphia, PA</u>
	<u>Sharon Gordon</u>	residing at	<u>25 State Street</u> <u>Philadelphia, PA</u>
	<u>Mark Rogers</u>	residing at	<u>25 State Street</u> <u>Philadelphia, PA</u>

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

15. Jean dates and signs the will in front of the witnesses.
16. The Witnesses are the people who after seeing the Testatrix sign and date the will and declare that this is her will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF Pennsylvania )  
ss.:  
COUNTY OF Philadelphia )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Jean Campbell  
Testatrix

2. Jerry Gordon  
Witness

3. Sharan Gordon  
Witness

4. mark Rogers  
Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

mark Davis  
Notary Public or Person  
Authorized to Take Oaths

TESTATRIX: Jean Campbell

WITNESS: Jerry Gordon

WITNESS: Sharon Gordon

WITNESS: mark Rogers



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit), which is recognized in most states, is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time, personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.

# Last Will and Testament of

Lewis Finney

I, Lewis Finney, presently residing at

5 Pheasant Lane, Cleveland, Ohio

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I hereby nominate and appoint Ed Warren, as Executor/Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him/her in any jurisdiction. If my said Executor/Executrix hereinabove named is unable to serve as Executor/Executrix then I nominate and appoint Steve Harris, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

FOURTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

FIFTH:

I hereby give devise and bequeath my entire estate to my friend Ed Warren except for the following specific bequests: To my aunt Sylvia Greer, I give \$5,000. To my friend Steve Harris, I give my 1975 Buick Regal. To my cousin Stanley Davis, I give my entire stamp collection. If Ed Warren shall die before me, then with the exception of the above specific bequests, I leave my entire estate to my friend Steve Harris.

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

1. A Last Will & Testament, known simply as a "Will," is a written declaration of how a person intends his property to be disposed of after his death.
2. The Testator is Lewis Finney, the person who is writing the will, and who signs and dates the will.
3. A will must have the full name of the Testator. It is important that the spelling and middle initial, if any, are accurate.
4. A will should also have the Testator's address.
5. The Testator must have the mental capacity to make a will.
6. The will revokes or cancels all former wills and codicils. A codicil is used to add to, remove from, or modify the provisions of a will, and must be signed, declared, and witnessed in the same way as a will.
7. Lewis is including a provision to pay all of his outstanding bills and funeral expenses.
8. The Executor/Executrix is the person that you name in the will to carry out the terms of your will and to administer the estate. The person writing the will (Testator) often will name the beneficiary of the largest portion of the estate as Executor/Executrix. However, the Executor/Executrix is not legally required to be a beneficiary. Your will form provides that the Executor/Executrix not be required to post a bond for the Court.
9. Lewis appoints Ed Warren to settle the affairs of his estate. If Ed is unavailable Lewis appoints Steve Harris.
10. Lewis gives Ed total discretion subject to state law to carry out the terms of the will.
11. Lewis leaves his estate to his friend Ed Warren except for the described specific bequests to Sylvia Greer, Steve Harris, and Stanley Davis. Lewis also includes a provision to leave his estate to his friend Steve Harris if Ed Warren dies before Lewis.



12 IN WITNESS WHEREOF, I hereunto set my hand this 11 day of  
March, 1989.

Lewis Finney

(SIGN HERE)

Signed, sealed, published, and declared by the above named Testator, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

13 Elaine Small residing at 10 Main Street  
Cleveland, Ohio  
David Little residing at 8 Mill Pond Road  
Cleveland, Ohio  
Richard Little residing at 8 Mill Pond Road  
Cleveland, Ohio

# Glossary

The numbers on this page correspond to the numbers on the model will on the previous page. Important words are defined, and important aspects of the model will are explained.

12. Lewis dates and signs the will in front of the witnesses.

13. The Witnesses are the people who after seeing the Testator sign and date the will and declare that this is his will, witness the will by signing their names and listing their home addresses at the end of the will. The witnesses must be together and see you sign the will. Most states require only 2 witnesses, but some states require 3 witnesses. Your will form includes 3 signature lines for your protection. The witnesses should be of sound mind, and not be named as beneficiaries in the will.

Affidavit of Subscribing Witnesses

STATE OF Ohio )

ss.:

COUNTY OF Cuyahoga )

On march 11, 1989, personally appeared before me, the undersigned authority

1. Lewis Finney  
Testator

2. Elaine Small  
Witness

3. David Little  
Witness

4. Richard Little  
Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on march 11, 1989

Mark Davis  
Notary Public or Person  
Authorized to Take Oaths

TESTATOR: Lewis Finney

WITNESS: Elaine Small

WITNESS: David Little

WITNESS: Richard Little



# Instructions for Completing the Affidavit of Subscribing Witnesses

An Affidavit of Subscribing Witnesses (also known as a self-proving affidavit), which is recognized in most states, is also included in the will kit. This Affidavit allows you to self-prove your will. A will does not require this affidavit in order for the will to be valid. However, this affidavit may save much time and expense when a will is being probated. A situation in which this might occur is if the witnesses to the will could not be located when the will was being probated. By the will being self-proved, the witnesses will most likely not have to appear in court. A will is self-proved when the Testator (the person who writes the will) and the witnesses to the will, declare that this document is the Testator's will, and that it was properly executed, and sign this affidavit before an officer authorized to administer oaths or a notary public. This affidavit is included in the will and should be used if possible, but again, a will is valid without an affidavit of subscribing witnesses.

If you choose to self-prove your will, use the following instructions:

1. You must sign your will and have it witnessed by three witnesses, and follow the instructions for the execution of a will, as they are given in this book.
2. If there is not an officer authorized to administer oaths or a notary public present at the will signing, you and the witnesses to the will must at a later time, personally appear before such officer or a notary public. All parties must bring proper identification. Advise the officer or notary public that you want to self-prove your will. Ask the officer or notary public if he or she has a form for this purpose. If yes, follow the officer or notary's instructions.
3. If the officer or notary does not have a form, use the Affidavit of Subscribing Witnesses included in this kit.
4. Use the model affidavit of subscribing witnesses as a guide to filling out your affidavit. You and your witnesses should write your names in the spaces designated "Testator" and "witness." The officer or notary will have you swear to the statements made in the affidavit, and to sign your names at the bottom of the affidavit. The officer or notary will date, sign, and place a stamp or seal on the affidavit.
5. At this time, staple the affidavit to the will so that it becomes the last page.



# BLANK WILL FORMS





# Last Will and Testament

## of

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

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently married to \_\_\_\_\_.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved husband absolutely and forever.

FIFTH: In the event that my husband shall predecease me, then and in that event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH" herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my husband or any children, or grandchildren, then, and in such event, I give, devise and bequeath my said Estate to the following named beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. \_\_\_\_\_

Name and address of beneficiary

b. \_\_\_\_\_

Name and address of beneficiary

c. \_\_\_\_\_

Name and address of beneficiary

d. \_\_\_\_\_

Name and address of beneficiary

e. \_\_\_\_\_

Name and address of beneficiary

SEVENTH: I hereby nominate and appoint my beloved husband to be the Executor of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him in any jurisdiction. If my said husband is unable to serve as Executor, then I nominate and appoint \_\_\_\_\_ Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

EIGHTH: I hereby nominate and appoint my husband as Guardian of the person and property of my minor children. In the event that my husband shall be unable to serve as Guardian, then, and in such event I nominate and appoint \_\_\_\_\_, Guardian/Co-guardians of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.

NINTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell, to mortgage, and to lease, and to invest and re-invest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____



Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #1 Will (Married Woman with Minor Children)

Please have these instructions in front of you along with the #1 Will model; it is suggested that you complete the #1 Will using the #1 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your husband's name in paragraph "THIRD."
4. In paragraph "SIXTH," list the names and addresses of the beneficiary/beneficiaries who are to inherit your estate in equal shares in the event that you are not survived by any husband, children, or grandchildren.
5. In paragraph "SEVENTH," insert the name of the person that you want to serve as Executor/Executrix if your husband does not survive you or is unable for any reason to serve as such.
6. In paragraph "EIGHTH," insert the name of the person or persons who you desire to be guardian or guardians of your minor children, again, in the event that your husband does not survive you or cannot serve for any reason.
7. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date, and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, then have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your Will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )  
ss.:  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_  
Testatrix

2. \_\_\_\_\_  
Witness

3. \_\_\_\_\_  
Witness

4. \_\_\_\_\_  
Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testatrix having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

# Last Will and Testament of

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

\_\_\_\_\_,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently married to \_\_\_\_\_.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved wife absolutely and forever.

FIFTH: In the event that my wife shall predecease me, then and in that event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH" herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my wife or any children, or grandchildren, then, and in such event, I give, devise and bequeath my said Estate to the following named beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. \_\_\_\_\_

Name and address of beneficiary

b. \_\_\_\_\_

Name and address of beneficiary

c. \_\_\_\_\_

Name and address of beneficiary

d. \_\_\_\_\_

Name and address of beneficiary

e. \_\_\_\_\_

Name and address of beneficiary



SEVENTH: I hereby nominate and appoint my beloved wife to be the Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of her in any jurisdiction. If my said wife is unable to serve as Executrix, then I nominate and appoint

\_\_\_\_\_, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

EIGHTH: I hereby nominate and appoint my wife as Guardian of the person and property of my minor children. In the event that my wife shall be unable to serve as Guardian, then, and in such event I nominate and appoint \_\_\_\_\_ Guardian/Co-guardians of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.

NINTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell, to mortgage, and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #2 Will (Married Man with Minor Children)

Please have these instructions in front of you along with the #2 Will model. It is suggested that you complete the #2 Will using the #2 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your wife's name in paragraph "THIRD."
4. In paragraph "SIXTH," list the names, and addresses of the beneficiary/beneficiaries who are to inherit your estate in equal shares in the event that you are not survived by any wife, children, or grandchildren.
5. In paragraph "SEVENTH," insert the name of the person that you want to serve as Executor/Executrix if your wife does not survive you or is unable for any reason to serve as such.
6. In paragraph "EIGHTH," insert the name of the person or persons who you desire to be guardian or guardians of your minor children, again, in the event that your wife does not survive you or cannot serve for any reason.
7. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date, and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, then have witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your Will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )  
ss.:  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. _____ Testator	2. _____ Witness
3. _____ Witness	4. _____ Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

TESTATOR: \_\_\_\_\_  
WITNESS: \_\_\_\_\_  
WITNESS: \_\_\_\_\_  
WITNESS: \_\_\_\_\_



# Last Will and Testament of

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

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently married to \_\_\_\_\_.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved husband absolutely and forever.

FIFTH: In the event that my husband shall predecease me, then and in that event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH" herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my husband or any children, or grandchildren, then, and in such event, I give, devise and bequeath my said Estate to the following named beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. \_\_\_\_\_

Name and address of beneficiary

b. \_\_\_\_\_

Name and address of beneficiary

c. \_\_\_\_\_

Name and address of beneficiary

d. \_\_\_\_\_

Name and address of beneficiary

e. \_\_\_\_\_

Name and address of beneficiary

SEVENTH: I hereby nominate and appoint my beloved husband to be the Executor of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him in any jurisdiction. If my said husband is unable to serve as Executor, then I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

EIGHTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #3 Will (Married Woman without Minor Children)

Please have these instructions in front of you along with the #3 Will model. It is suggested that you complete the #3 Will using the #3 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your husband's name in paragraph "THIRD."
4. In paragraph "SIXTH," list the names and addresses of the beneficiary/beneficiaries who are to inherit your estate in equal shares in the event that you are not survived by any husband, children, or grandchildren.
5. In paragraph "SEVENTH," insert the name of the person that you want to serve as Executor/Executrix if your husband does not survive you or is unable for any reason to serve as such.
6. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date, and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your Will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.



Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )

ss.:

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_

Testatrix

2. \_\_\_\_\_

Witness

3. \_\_\_\_\_

Witness

4. \_\_\_\_\_

Witness

known to me to be the Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testatrix on the same date they subscribed this instrument; the Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testatrix's Last Will and Testament; at the request of the Testatrix and in the Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testatrix by subscribing their names as witnesses to it; the Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testatrix having declared to the said witnesses that she was not under any duress or any undue influence and that she voluntarily executed this will as her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that she has read the within instrument and she affirms that each and every statement made by the subscribing witness is true to her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

WITNESS: \_\_\_\_\_

# Last Will and Testament of

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

\_\_\_\_\_,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently married to \_\_\_\_\_.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved wife absolutely and forever.

FIFTH: In the event that my wife shall predecease me, then and in that event, I give, devise and bequeath my Estate hereinabove mentioned in paragraph "FOURTH" herein, to my beloved child or children or grandchildren surviving me, per stirpes.

SIXTH: In the event I am not survived by my wife or any children, or grandchildren, then, and in such event, I give, devise and bequeath my said Estate to the following named beneficiary/beneficiaries or their survivor/survivors in equal shares.

a. \_\_\_\_\_

Name and address of beneficiary

b. \_\_\_\_\_

Name and address of beneficiary

c. \_\_\_\_\_

Name and address of beneficiary

d. \_\_\_\_\_

Name and address of beneficiary

e. \_\_\_\_\_

Name and address of beneficiary

SEVENTH: I hereby nominate and appoint my beloved wife to be the Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of her in any jurisdiction. If my said wife is unable to serve as Executrix, then I nominate and appoint

\_\_\_\_\_, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

EIGHTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and re-invest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____



Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #4 Will (Married Man without Minor Children)

Please have these instructions in front of you along with the #4 Will model. It is suggested that you complete the #4 Will using the #4 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your wife's name in paragraph "THIRD."
4. In paragraph "SIXTH," list the names, and addresses of the beneficiary/beneficiaries who are to inherit your estate in equal shares in the event that you are not survived by any wife, children, or grandchildren.
5. In paragraph "SEVENTH," insert the name of the person that you want to serve as Executor/Executrix if your wife does not survive you or is unable for any reason to serve as such.
6. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date, and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your Will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )  
ss.:  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. _____	2. _____
Testator	Witness
3. _____	4. _____
Witness	Witness

known to me to be the Testator and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator on the same date they subscribed this instrument; the Testator in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator's Last Will and Testament; at the request of the Testator and in the Testator's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator by subscribing their names as witnesses to it; the Testator at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he has read the within instrument and he affirms that each and every statement made by the subscribing witness is true to his own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

TESTATOR: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

# Last Will and Testament

## of

\_\_\_\_\_

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

\_\_\_\_\_ ,

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD:       a. I am presently not married.

              b. I am the parent of the following child/children:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved child or children or grandchildren surviving me, per stirpes.

FIFTH: I nominate and appoint \_\_\_\_\_, as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SIXTH: In the event that any child/children of mine shall be minors at my death and shall not be survived by their natural parent, I then nominate and appoint \_\_\_\_\_ as Guardian of the person and property of my minor child/children. In the event that \_\_\_\_\_ shall be unable or unwilling to serve as Guardian, then, and in such event I nominate and appoint \_\_\_\_\_ Guardian of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.



SEVENTH: I give to my Executor/Executrix, the authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator/Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #5 Will (Unmarried Individual with Minor Children)

Please have these instructions in front of you along with the #5 Will model. It is suggested that you complete the #5 Will using the #5 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your child or children's name(s) in paragraph "THIRD."
4. In paragraph "FIFTH," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
5. In paragraph "SIXTH," insert the name of the person who you desire to be guardian of your minor child/children, in the event that their natural parent does not survive you, or is unable to serve for any reason. Then insert the name of an alternate guardian in the event that the above person does not survive you or is unable to serve for any reason.
6. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )

ss.:

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_

Testator/Testatrix

2. \_\_\_\_\_

Witness

3. \_\_\_\_\_

Witness

4. \_\_\_\_\_

Witness

known to me to be the Testator/Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator/Testatrix on the same date they subscribed this instrument; the Testator/Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator/Testatrix's Last Will and Testament; at the request of the Testator/Testatrix and in the Testator/Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator/Testatrix by subscribing their names as witnesses to it; the Testator/Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator/Testatrix having declared to the said witnesses that he was not under any duress or any undue influence and that he voluntarily executed this will as his/her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator/Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator/Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he/she has read the within instrument and he/she affirms that each and every statement made by the subscribing witness is true to his/her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATOR/TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths



# Last Will and Testament of

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

\_\_\_\_\_,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: a. I am presently not married.

b. I am the parent of the following child/children:

- |          |          |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to my beloved child or children or grandchildren surviving me, per stirpes.

FIFTH: I nominate and appoint \_\_\_\_\_, as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SIXTH: I give to my Executor/Executrix, the authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_ .

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
		_____
_____	residing at	_____
		_____
_____	residing at	_____
		_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #6 Will (Unmarried Individual with Adult Children)

Please have these instructions in front of you along with the #6 Will model. It is suggested that you complete the #6 Will using the #6 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. Write your child or children's name(s) in paragraph "THIRD."
4. In paragraph "FIFTH," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
5. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.



Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )  
ss.:

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_  
Testator/Testatrix

2. \_\_\_\_\_  
Witness

3. \_\_\_\_\_  
Witness

4. \_\_\_\_\_  
Witness

known to me to be the Testator/Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator/Testatrix on the same date they subscribed this instrument; the Testator/Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator/Testatrix's Last Will and Testament; at the request of the Testator/Testatrix and in the Testator/Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator/Testatrix by subscribing their names as witnesses to it; the Testator/Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator/Testatrix having declared to the said witnesses that he/she was not under any duress or any undue influence and that he/she voluntarily executed this will as his/her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator/Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator/Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he/she has read the within instrument and he/she affirms that each and every statement made by the subscribing witness is true to his/her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATOR/TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

# Last Will and Testament

## of

\_\_\_\_\_  
**I**, \_\_\_\_\_, presently residing at \_\_\_\_\_,

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently not married.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to \_\_\_\_\_.

FIFTH: In the event that I am not survived by \_\_\_\_\_, I give, devise and bequeath my said estate to \_\_\_\_\_.

SIXTH: I nominate and appoint \_\_\_\_\_, as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.

SEVENTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator/Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
		_____
_____	residing at	_____
		_____
_____	residing at	_____
		_____



Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #7 Will (Unmarried Individual with No Children & One Beneficiary)

Please have these instructions in front of you along with the #7 Will model. It is suggested that you complete the #7 Will using the #7 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. In paragraph "FOURTH," insert the name of the beneficiary who is to inherit your estate.
4. In paragraph "FIFTH," insert the name of the beneficiary who is to inherit your estate if the beneficiary named in paragraph "FOURTH" does not survive you.
5. In paragraph "SIXTH," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
6. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_ )

ss.:

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_

Testator/Testatrix

2. \_\_\_\_\_

Witness

3. \_\_\_\_\_

Witness

4. \_\_\_\_\_

Witness

known to me to be the Testator/Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator/Testatrix on the same date they subscribed this instrument; the Testator/Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator/Testatrix's Last Will and Testament; at the request of the Testator/Testatrix and in the Testator/Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator/Testatrix by subscribing their names as witnesses to it; the Testator/Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator/Testatrix having declared to the said witnesses that he/she was not under any duress or any undue influence and that he/she voluntarily executed this will as his/her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator/Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator/Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he/she has read the within instrument and he/she affirms that each and every statement made by the subscribing witness is true to his/her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATOR/TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

# Last Will and Testament

## of

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

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I am presently not married.

FOURTH: I hereby give, devise and bequeath all of my Estate, real, personal and mixed, of every kind and nature whatsoever and wheresoever situated, to the following named beneficiaries or their survivors in equal shares.

a. \_\_\_\_\_  
Name and address of beneficiary

b. \_\_\_\_\_  
Name and address of beneficiary

c. \_\_\_\_\_  
Name and address of beneficiary

d. \_\_\_\_\_  
Name and address of beneficiary

e. \_\_\_\_\_  
Name and address of beneficiary

FIFTH: I nominate and appoint \_\_\_\_\_,

as Executor/Executrix of this Will. In the event he/she shall predecease me or fails to serve as such Executor/Executrix, then in such event, I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/her duties.



SIXTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator/Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #8 Will (Unmarried Individual with No Children and Two or More Beneficiaries)

Please have these instructions in front of you along with the #8 Will model. It is suggested that you complete the #8 Will using the #8 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. In paragraph "FOURTH," insert the name of the beneficiaries who are to inherit your estate.
4. In paragraph "FIFTH," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
5. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

**Affidavit of Subscribing Witnesses**

STATE OF \_\_\_\_\_ )

ss.:

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_

Testator/Testatrix

2. \_\_\_\_\_

Witness

3. \_\_\_\_\_

Witness

4. \_\_\_\_\_

Witness

known to me to be the Testator/Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator/Testatrix on the same date they subscribed this instrument; the Testator/Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator/Testatrix's Last Will and Testament; at the request of the Testator/Testatrix and in the Testator/Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator/Testatrix by subscribing their names as witnesses to it; the Testator/Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator/Testatrix having declared to the said witnesses that he/she was not under any duress or any undue influence and that he/she voluntarily executed this will as his/her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator/Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator/Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he/she has read the within instrument and he/she affirms that each and every statement made by the subscribing witness is true to his/her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATOR/TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths



# Last Will and Testament

## of

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

being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I hereby nominate and appoint \_\_\_\_\_, as Executor/Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him/her in any jurisdiction. If my said Executor/Executrix hereinabove named is unable to serve as Executor/Executrix then I nominate and appoint \_\_\_\_\_, Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

FOURTH: I hereby nominate and appoint \_\_\_\_\_ as Guardian of the person and property of my minor children. In the event that said Guardian hereinabove named shall be unable to serve as Guardian, then, and in such event I nominate and appoint \_\_\_\_\_, Guardian/Co-guardians of the person and property of my minor child or children, and I direct that no bond shall be required of any Guardian herein.

FIFTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and reinvest all or any part of my Estate on such terms as he/she deems best.

SIXTH:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator/Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
		_____
_____	residing at	_____
		_____
_____	residing at	_____
		_____

Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #9 Will (Married Woman, Married Man, or Unmarried Person with Minor Children Making Specific Bequests)

Please have these instructions in front of you along with the #9 Will model. It is suggested that you complete the #9 Will using the #9 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. In paragraph "THIRD," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
4. In paragraph "FOURTH," insert the name of the person who you desire to be guardian of your minor child/children. In the event that this person does not survive you, or is unable to serve for any reason, insert the name of an alternate guardian.
5. In paragraph "SIXTH," write your specific bequests. Start your paragraph "SIXTH" with the following clause so that you won't forget "to give, devise and bequeath" your entire estate.

"I hereby, give, devise, and bequeath my entire estate to \_\_\_\_\_, except for the following specific bequests." Insert the name of your chosen beneficiary on the blank line.

At the end of paragraph "SIXTH," name an alternate beneficiary in the event that the above chosen beneficiary predeceases you. You may use the following clause:

"If \_\_\_\_\_ shall die before me, then with the exception of the above bequests, I leave my entire estate to \_\_\_\_\_." Insert the name of your chosen beneficiary and alternate beneficiary on the blank lines.

6. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.



WITNESS:

# Last Will and Testament

## of

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

\_\_\_\_\_,  
being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament.

FIRST: I hereby revoke any and all Wills and Codicils by me anytime heretofore made.

SECOND: I direct all of my just debts and funeral expenses be paid out of my Estate as soon as practicable after my death.

THIRD: I hereby nominate and appoint \_\_\_\_\_,  
as Executor/Executrix of this, my Last Will and Testament, and I direct that no bond or other security shall be required of him/her in any jurisdiction. If my said Executor/Executrix hereinabove named is unable to serve as Executor/Executrix then I nominate and appoint \_\_\_\_\_,  
Executor/Executrix of this my Last Will and Testament, and I further direct that he/she not be required to post any bond or other security.

FOURTH: I give to my Executor/Executrix, authority to exercise all the powers, duties, rights and immunities conferred upon fiduciaries by law with full power to sell to mortgage and to lease, and to invest and re-invest all or any part of my Estate on such terms as he/she deems best.

FIFTH:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, I hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ .

\_\_\_\_\_  
(SIGN HERE)

Signed, sealed, published and declared by the above named Testator/Testatrix, as and for his/her Last Will and Testament, in the presence of us, who at his/her request, in his/her presence, and in the presence of one another have hereunto subscribed our names as attesting witnesses, the day and year last written above.

_____	residing at	_____
_____	residing at	_____
_____	residing at	_____



Your Will is an important legal document. Have a qualified legal professional review it to verify that it is complete and faithful to your wishes, that it will direct your property where you want it to go, and that it will minimize the taxes on your estate. Laws can change; tell your attorney to contact you if laws change in such a way as to materially affect your Will.

## Instructions for #10 Will (Married Woman, Married Man, or Unmarried Person Making Specific Bequests)

Please have these instructions in front of you along with the #10 Will model. It is suggested that you complete the #10 Will using the #10 Will model as your general guide.

1. Your Will should be typed or printed in ink. Do not use a pencil or any other eraseable instrument.
2. Insert your full name, on the line below "LAST WILL AND TESTAMENT OF," and repeat your name and write your address on the next two lines.
3. In paragraph "THIRD," insert the name of the person that you want to serve as Executor/Executrix, and if that person does not survive you or is unable to serve for any reason, insert the name of an alternate Executor/Executrix.
4. In paragraph "FIFTH," write your specific bequests. Start your paragraph "FIFTH" with the following clause so that you won't forget "to give, devise and bequeath" your entire estate.

"I hereby, give, devise, and bequeath my entire estate to \_\_\_\_\_, except for the following specific bequests." Insert the name of your chosen beneficiary on the blank line.

At the end of paragraph "FIFTH," name an alternate beneficiary in the event that the above chosen beneficiary predeceases you. You may use the following clause.

"If \_\_\_\_\_ shall die before me, then with the exception of the above bequests, I leave my entire estate to \_\_\_\_\_." Insert the name of your chosen beneficiary, and alternate beneficiary on the blank lines.

5. Get your three witnesses together for the signing of the Will. In front of the three witnesses, date and sign the Will, at the same time telling the witnesses that this is your Last Will and Testament and that you want them to sign their names as witnesses to your Last Will and Testament. As soon as you are finished dating and signing the Will, have a witness sign his or her name and place his or her address on the line opposite his or her signature. *NOTE: It is important that no one leaves the room while each person is signing. In other words, each witness will witness your signature and the other witnesses' signatures.*

If you wish to self-prove your will, pull out the instructions for completing the Affidavit of Subscribing Witnesses.

Affidavit of Subscribing Witnesses

STATE OF \_\_\_\_\_)

ss.:

COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_, 19\_\_\_\_, personally appeared before me, the undersigned authority

1. \_\_\_\_\_

Testator/Testatrix

2. \_\_\_\_\_

Witness

3. \_\_\_\_\_

Witness

4. \_\_\_\_\_

Witness

known to me to be the Testator/Testatrix and Witnesses, respectively, who being severally sworn state under oath that, all the subscribing witnesses witnessed the execution of the Will of the within named Testator/Testatrix on the same date they subscribed this instrument; the Testator/Testatrix in their presence, subscribed the Will at the end and at the time of making the subscription declared the instrument to be the Testator/Testatrix's Last Will and Testament; at the request of the Testator/Testatrix and in the Testator/Testatrix's sight and presence and in the sight and presence of each other, all the subscribing witnesses witnessed the execution of the Will by the Testator/Testatrix by subscribing their names as witnesses to it; the Testator/Testatrix at the time of the execution of the Will, was over the age of 18 years and appeared to them of sound mind, memory and understanding and was in all respects competent to make a Will; and the Testator/Testatrix having declared to the said witnesses that he/she was not under any duress or any undue influence and that he/she voluntarily executed this will as his/her free act and deed.

The subscribing witnesses further state that this affidavit was executed at the request of the Testator/Testatrix, and at the time of the execution of this affidavit the original Will, above described, was exhibited to them and they identified it as such Will by their signatures appearing on it as subscribing witnesses.

The Testator/Testatrix states that each witness was and is competent and of a proper age to witness a will and further acknowledges that he/she has read the within instrument and he/she affirms that each and every statement made by the subscribing witness is true to his/her own knowledge.

Severally subscribed,  
acknowledged and sworn to  
before me on \_\_\_\_\_

TESTATOR/TESTATRIX: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Person  
Authorized to Take Oaths

















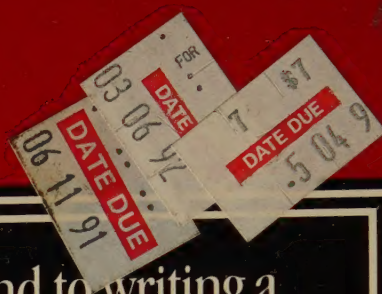
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If you haven't gotten around to writing a will, your state government has one all ready for you.

But you probably won't like what it has to say.

This simple, easy-to-understand guide includes detailed instructions, completed sample forms, affidavits, extensive glossaries, and all the necessary blank forms for those who wish to minimize expensive attorney fees in the preparation of their will. It includes ready-to-use documents for:

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- Married people with no children
- Unmarried people with children
- Unmarried people with no children
- Those making specific bequests

*Everyone Needs a Will* shows clearly and concisely how to avoid the complicated and expensive legal problems that can arise when a person dies without a will (as the majority of Americans do). Residents of every state except Louisiana may use this book to write a legally binding will.



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