I devise and bequeath my property, both real and personal and wherever situated, as

**II.**

**PERSONAL REPRESENTATIVE**

I nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as Personal Representative of my estate and I

request that (he/she) be appointed temporary Personal Representative if (he/she)

applies. If my Personal Representative fails or ceases to so serve, then I nominate

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to serve.

**III.**

**DISPOSITION OF PROPERTY**

included in such computation.

follows:

**st**

**1**

**Beneficiary**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] whose last four (4) digits of their

Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

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



**I.**

**of**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, resident in the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, being of sound

mind, not acting under duress or undue influence, and fully understanding the nature

and extent of all my property and of this disposition thereof, do hereby make, publish,

and declare this document to be my Last Will and Testament, and hereby revoke any

and all other wills and codicils heretofore made by me.

**Last Will and Testament**

**EXPENSES & TAXES**

I direct that all my debts, and expenses of my last illness, funeral, and burial, be paid as

soon after my death as may be reasonably convenient, and I hereby authorize my

Personal Representative, hereinafter appointed, to settle and discharge, in his or her

absolute discretion, any claims made against my estate.

I further direct that my Personal Representative shall pay out of my estate any and all

estate and inheritance taxes payable by reason of my death in respect of all items

included in the computation of such taxes, whether passing under this Will or otherwise.

Said taxes shall be paid by my Personal Representative as if such taxes were my debts

without recovery of any part of such tax payments from anyone who receives any item

**DISCRETIONARY POWERS OF PERSONAL REPRESENTATIVE**

**OMISSION**

Except to the extent thatI have included them in this Will, I have intentionally, and not

as a result of any mistake or inadvertence, omitted in this Will to provide for any family

members and/or issue of mine, if any, however defined by law, presently living or

hereafter born or adopted.

**V.**

**BOND**

No bond shall be required of any fiduciary serving hereunder, whether or not specifically

named in this Will, or if a bond is required by law, then no surety will be required on

such bond.

**VI.**

**IV.**

My Personal Representative, shall have and may exercise the following discretionary

powers in addition to any common law or statutory powers without the necessity of court

license or approval:

A.

To retain for whatever period my Personal Representative deems advisable any

property, including property owned by me at my death, and to invest and reinvest in any

property, both real and personal, regardless of whether any particular investment would

be proper for a Personal Representative and regardless of the extent of diversification

of the assets held hereunder.



Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

**2**

**Beneficiary**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] whose last four (4) digits of their

Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

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

**rd**

**3**

**Beneficiary**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] whose last four (4) digits of their

**nd**

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

If any of my beneficiaries have pre-deceased me, then any property that they would

have received if they had not pre-deceased me shall be distributed in equal shares to

the remaining beneficiaries.

If any of my property cannot be readily sold and distributed, then it may be donated to

any charitable organization or organizations of my Personal Representative’s choice. If

any property cannot be readily sold or donated, my Personal Representative may,

without liability, dispose of such property as my Personal Representative may deem

appropriate.I authorize my Personal Representative to pay as an administration

expense of my estate the expense of selling, advertising for sale, packing, shipping,

insuring and delivering such property.

of such property.

H.

To employ others in connection with the administration of my estate, including

legal counsel, investment advisors, brokers, accountants and agents and to pay

reasonable compensation in addition to my Personal Representative’s compensation.

I.

To vote any shares of stock or other securities in person or by proxy; to assert or

waive any stockholder’s rights or privilege to subscribe for or otherwise acquire

additional stock; to deposit securities in any voting trust or with any committee.

J.

To borrow and to pledge or mortgage any property as collateral, and to make

secured or unsecured loans. My Personal Representative is specifically authorized to

make loans without interest to any beneficiary hereunder. No individual or entity loaning

property to my Personal Representative or trustee shall be held to see to the application

stock ownership or other benefit plan.

K.

My Personal Representative shall also in his or her absolute discretion determine

the allocation of any GST exemption available to me at my death to property passing

under this Will or otherwise. The determination of my Personal Representative with

respect to any elections or allocation, if made or taken in good faith, shall be binding

upon all affected.

**VII.**

**CONTESTING BENEFICIARY**

If any beneficiary under this Will, or any trust herein mentioned, contests or attacks this

Will or any of its provisions, any share or interest in my estate given to that contesting



E.

To sell and to grant options to purchase all or any part of my estate, both real

and personal, at any time, at public or private sale, for consideration, whether or not the

highest possible consideration, and upon terms, including credit, as my Personal

Representative deems advisable, and to execute, acknowledge, and deliver deeds or

other instruments in connection therewith.

C.

To lease any real estate for terms and conditions as my Personal Representative

deems advisable, including the granting of options to renew, options to extend the term

or terms, and options to purchase.

D.

To pay, compromise, settle or otherwise adjust any claims, including taxes,

asserted in favor of or against me, my estate or my Personal Representative.

B.

To make any separation into shares in whole or in part in kind and at values

determined by my Personal Representative, with or without regard to tax basis, and to

allocate different kinds and disproportionate amounts of property and undivided

interests in property among the shares.

F.

To make such elections under the tax laws as my Personal Representative shall

deem appropriate, including elections with respect to qualified terminable interest

property, exemptions and the use of deductions as income tax or estate tax deductions,

and to determine whether to make any adjustments between income and principal on

account of any election so made.

G.

To make any elections permitted under any pension, profit sharing, employee

purposes herein expressed, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

**GOVERNING LAW**

This document shall be governed by the laws of the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**XII.**

**BINDING ARRANGEMENT**

Any decision by my Personal Representative with respect to any discretionary power

hereunder shall be final and binding on all persons interested. Unless due to my

Executor’s own willful default or gross negligence, no Executor shall be liable for said

Executor’s acts or omissions or those of any co-Executor or prior Executor.

I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby declare that I sign and

execute this instrument as my last Will, that I sign it willingly in the presence of each of

the undersigned witnesses, and that I execute it as my free and voluntary act for the

**XI.**

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

Testator Signature

Testator (Printed Name)

The foregoing instrument, was on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_,

subscribed on each page and at the end thereof by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the



references to the Internal Revenue Code shall mean the Internal Revenue Code of

provided herein as if that contesting beneficiary had predeceased me.

**VIII.**

**GUARDIAN AD LITEM NOT REQUIRED**

I direct that the representation by a guardian ad litem of the interests of persons unborn,

unascertained or legally incompetent to act in proceedings for the allowance of

accounts hereunder be dispensed with to the extent permitted by law.

**IX.**

**GENDER**

Whenever the context permits, the term “Personal Representative” shall include

“Executor” and “Administrator,” the use of a particular gender shall include any other

gender, and references to the singular or the plural shall be interchangeable. All

beneficiary under this Will is revoked and shall be disposed of in the same manner

1986 or any successor Code. All references to estate taxes shall include inheritance

and other death taxes.

**X.**

**ASSIGNMENT**

The interest of any beneficiary in this Will, shall not be alienable, assignable, attachable,

transferable nor paid by way of anticipation, nor in compliance with any order,

assignment or covenant and shall not be applied to, or held liable for, any of their debts

or obligations either in law or equity and shall not in any event pass to his, her, or their

assignee under any instrument or under any insolvency or bankruptcy law, and shall not

be subject to the interference or control of creditors, spouses or others.

\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

Subscribed and sworn to before me by the said testator and the said witnesses, this

Witness Signature

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

Witness Signature

Notary Public



My Commission expires:

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

Address

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

**TESTAMENTARY AFFIDAVIT**

Address

Witness Signature

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

Witness Signature

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

have hereunto subscribed our names as attesting witnesses thereto.

thereupon, at (his/her) request, in (his/her) presence, and in the presence of each other,

(his/her) LAST WILL AND TESTAMENT, in the presence of us and each of us, who

another to sign for him/her, and that the testator executed it as the testator’s free and

Testator Signature

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

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

mind and under no constraint or undue influence.

best of their knowledge the testator was eighteen (18) years of age or over, of sound

me, in the presence of the testator, that they signed the will as witnesses and that to the

voluntary act for the purposes therein expressed; and each of the witnesses stated to

above-named Testator, and by (him/her) signed, sealed, published and declared to be

instrument is the testator’s last will and that the testator has willingly signed or directed

me duly sworn, the testator declared to me and to the witnesses in my presence that the

are signed to the attached or foregoing instrument, and, all of these persons being by

witness, known to me to be the testator and the witnesses, respectively, whose names

\_\_\_\_\_\_\_\_\_\_\_, testator, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, witness and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Before me, the undersigned authority, on this day personally appeared

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, SS.