

Last Will & Testament

of

I, _____, residing in the County of _____, State of California, being of sound mind and memory, and not acting under duress or undue influence of any person whomsoever, hereby declare this to be my Last Will and Testament, and I do hereby revoke all other former Wills and Codicils to Wills heretofore made by me.

I. INTRODUCTORY PROVISIONS

1.1 FAMILY STATUS. I am [married]. I have _____ living child, namely _____, born _____.

1.2 DEFINITIONS OF CHILD, CHILDREN, AND ISSUE. As used in this will, the terms "child" and "children" refer to natural children and to children who have been legally adopted during minority by the parent from or through whom their right to inherit or to take is determined or derived, and the term "issue" refers to all lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definitions of "child" and "children" set forth in this will.

1.3 NO CONTRACTS AFFECTING WILL. I have not entered into any contract to make a will or a testamentary gift, not to revoke a will or a testamentary gift, or to die intestate.

1.4 NO EXERCISE OF POWER OF APPOINTMENT. I intentionally refrain from exercising any power of appointment that I now possess or that hereafter may be conferred on me.

1.5 PROVISION FOR PAYMENT. My Executor shall pay all my debts, expenses of administration of property wherever situated passing under this Will or otherwise, and estate, inheritance, transfer and succession taxes, other than any tax on a generation-skipping transfer that is not a liability of my Estate (including interest and penalties, if any) that become due by reason of my death, without any apportionment or reimbursement.

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II. DISTRIBUTION OF ESTATE

Following payment of those matters identified in paragraph 1.5 hereinabove, I give, devise and bequeath all of my property of every kind and description, wherever situated and whether acquired before or after the execution of this Will, as follows: _____.

III. EXECUTOR

3.1 *NOMINATION*. I hereby nominate and appoint as Executor of this Last Will and Testament _____ located at _____.

3.2 *ALTERNATE*. In the event the first named Executor shall predecease me, or is unable or unwilling to act as my Executor for any reason whatsoever, then and in that event I hereby nominate and appoint _____ located at _____.

3.3 *NO BOND*. No bond is required to be posted or secured by my Executor who serves by the nomination herein.

IV. EXECUTOR'S POWERS

By way of illustration and not of limitation and in addition to any inherent, implied or statutory powers granted to executors generally, my Executor is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: To allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect thereto, take possession of, pledge, receive, release, repair, sell, sue for, make distributions in cash or in kind or in part in each without regard to the income-tax basis of such asset and in general, exercise all of the powers in the management of my Estate which any individual could exercise in the management of similar property owned in its own right upon such terms and conditions as to my Executor may seem best.

V. GUARDIANSHIP APPOINTMENT

Effective upon my death or incapacity, I appoint _____, located at _____ as guardian of the person of each minor child of mine. If _____ shall fail to qualify or cease to act as guardian, then I appoint _____, located at _____ as guardian. I direct that any guardian of any minor child of mine be appointed conservator of the estate of such child if such appointment becomes necessary.

VI. SPECIFIC OMISSIONS

I have intentionally omitted all persons and entities from this, my Last Will and Testament, except those persons and entities specifically named herein. If any person or entity shall challenge any term or condition of this Will, then, that person or entity shall be considered to have predeceased me and not be in existence at the time of my death.

VII. INVALIDITY

If any provision of this Will is deemed unenforceable, the remaining provisions shall remain in full force and effect.

SIGNED ON _____, **at** _____, **California.**

SSN: _____

WITNESSES DECLARATION:

On the date written below, the testator, _____, declared to us that this instrument, consisting of four (4) pages, including this page was the testator's last will and testament, and the testator asked us to witness it as of this day. The testator then signed this will in our presence, all of us being present at the time. At the testator's request, in the testator's presence, and in the presence of one another, we subscribe our names as witnesses hereinbelow. The testator is over the age of 18, is of sound mind, and is under no constraint or undue influence.

WITNESS OUR HANDS this ____ day of _____.

Signature of Witness

Signature of Witness

We declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on the date above at _____, California.

Signature of Witness

Signature of Witness

Print Name

Print Name

Address

Address

City, State & Zip

City, State & Zip