

Last Will and Testament

A simple will for a person whose permanent home is in a US state other than Louisiana, witnessed by two adults, with a self-proving affidavit sworn before a notary. Template v1.0.

1. Who I am

This is the last will and testament of: _____

County of residence: _____

State of residence: _____

I am of sound mind, and I make this will of my own free will. In this will I am called the testator.

2. Earlier wills

I cancel every will and codicil I have made before this one.

3. My family

My family at the date of this will:

When this will refers to my children, it means the children named above and any child born to me or adopted by me after I sign it.

4. Executor

I appoint as executor of this will: _____

If that person dies before me, or cannot or will not serve or continue to serve, I appoint: _____

Some states call an executor a personal representative. In this will, my executor means whoever is serving in that role at the time.

5. Bond, administration and powers

No bond or other security is to be required of any executor or guardian named in this will, in any state, as far as the law allows. I direct that my estate be settled in an independent or unsupervised administration wherever the law permits, with no court action beyond the probate of this will and the filing of any inventory, appraisal or list of claims the law requires.

My executor has every power the law gives to executors where my property is. Where the law allows it without a court order, my executor may sell, lease or mortgage any of my property, publicly or privately, settle claims for or against my estate, and sign any document needed to do

so.

6. Guardian for minor children

If at my death a child of mine is a minor and no parent of that child is living and able to take custody, I appoint as g

If that person cannot or will not serve, I appoint: _____

7. Particular gifts

I make the following gifts:

A particular gift takes effect only if the person named survives me. If they do not, the gift becomes part of my residuary estate unless I named someone else to receive it. If I no longer own an item when I die, the gift of it fails and nothing is given in its place.

8. My residuary estate

I give all the rest of my property, of every kind and wherever it is, including property I acquire after I sign this will and any gift that fails, which is my residuary estate, as follows:

My residuary estate goes to:

If a person named above does not survive me and I named no one else to take their part:

If no one entitled under this section survives me, my residuary estate goes to my heirs, decided under the law of my state in force at my death as if I had died without a will.

9. Surviving me

A person who does not survive me by at least 30 days is treated, for every purpose of this will, as if they had died before me.

10. Debts, expenses and taxes

My executor will pay from my residuary estate my funeral expenses, the costs of administering my estate and my debts that are due. A debt secured by a mortgage or lien need not be paid early, and the property passes subject to it. All estate, inheritance and similar taxes payable because of my death on property passing under this will are paid from my residuary estate and are not charged to any particular gift.

11. Gifts to young people

If a person under 21 becomes entitled to property under this will, my executor may deliver it to a custodian for that person, chosen by my executor, under the Uniform Transfers to Minors Act of any state. The custodian's receipt fully discharges my executor.

Signature of the testator

I sign this will on the date below in the presence of the two witnesses who sign it after me, and I declare to them that it is my will and that I sign it willingly.

Signed at (city and state) _____

Testator

Signature

Name

Date

Attestation

The testator signed this will in our presence, both of us being present at the same time, and declared it to be the testator's will. We then signed as witnesses in the presence of the testator and of each other. Each of us is at least 18 years old and receives nothing under this will. To the best of our knowledge the testator is at least 18 years old, of sound mind, and under no constraint or undue influence. We declare under penalty of perjury under the laws of the testator's state that this paragraph is true and correct.

First witness

Signature

Name

Date

Address**Second witness**

Signature

Name

Date

Address**Self-proving affidavit**

The testator and the two witnesses named above, each first sworn by the officer named below, state under oath that:

- (a) The testator signed the will above as the testator's last will and testament, willingly and as a free and voluntary act, for the purposes stated in it.
- (b) Each witness signed the will as a witness in the presence and hearing of the testator.
- (c) To the best of each witness's knowledge, the testator was at that time at least 18 years old, of sound mind, and under no constraint or undue influence.

Testator

Signature

Name

Date

First witness

Signature

Name

Date

Address**Second witness**

Signature

Name

Date

Address

Signed, sworn to and acknowledged before me by the testator, and signed and sworn to before me by each witness named above, on the date below.

Sworn or affirmed before an officer

Sworn or affirmed before me by the person who signed above, who proved who they are to me, at the place and on the date written below.

Place

Date

Signature of the officer

Name, title and commission or registration number

Seal or stamp of the officer, where the law of the place requires one.