

**SIMPLE WILL**

I, \_\_\_\_\_, of \_\_\_\_\_  
(name) (city, country)  
 \_\_\_\_\_, make this my last will, revoking all wills and codicils which  
 I have previously made.

**ARTICLE I**

**A.** My tangible personal property of every nature, including furniture, antiques, clothing, silver, books, pictures, china, automobiles and their equipment, and articles of personal or household use or ornament, and all policies of insurance on such tangible personal property, but not including money, securities, or the like, I give to my wife, \_\_\_\_\_, provided she survives me by thirty days. If my wife fails to survive me by thirty days, then I give such tangible personal property to those of my children living at the time of my death in equal shares.

**B.** Though imposing no legal obligation, it is my hope that my wife or children will distribute said property as I may from time to time designate to her or to them orally or in a writing apart from this will. If my children fail to agree upon a division of said property, it shall be divided in shares by my [Executrix or Executor], who shall follow said writing and whose decision in this regard shall be final.

**C.** Property distributable to a minor under Article I FIRST may be distributed by my Executrix to such minor personally, or to such minor's legal guardian, or to some other person selected by my Executrix to receive such property for such minor. The receipt by such minor, or such minor's legal guardian, or such other person shall be a complete discharge of my Executrix in regard to such distribution.

**ARTICLE II**

I give, bequeath and devise all the rest residue and remainder of my estate, real and personal, of every kind, nature and description, of which I shall die seized and possessed or to which I shall be entitled at the time of my decease, or over which I then have power of appointment or disposal whatsoever, as follows:

- A.** To my said wife, if she survives me;
- B.** If my said wife does not survive me, to my then living issue, by right of representation;
- C.** In default of such then living issue, in two equal shares as follows:
  - (1)** one such share to such person or persons as would be entitled to inherit my estate under the laws of descent and distribution of the \_\_\_\_\_ had I died intestate and unmarried at the

(state)

time of such failure of disposition domiciled in said \_\_\_\_\_  
\_\_\_\_\_;  
(state)

(2) one such share to such person or persons as would be entitled to inherit the estate of my said wife under the laws of descent and distribution of said \_\_\_\_\_ had she died intestate and unmarried at the time of such failure of disposition domiciled in said \_\_\_\_\_;  
(state)  
and

(3) if there shall be no person in existence who is eligible to have the benefit of one of the above shares, then the share in question shall be added to the other share; and

D. If there is no person entitled to receive my estate under paragraph C above, to \_\_\_\_\_.

### ARTICLE III

I appoint my wife to be Guardian of the person and property of each of our children who shall be a minor at the time of my death. If my wife is unable or unwilling to serve or to continue to serve as Guardian, I nominate \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ to be Guardian in her stead;  
(name) (city and state)  
if (he, she) is unable or unwilling to serve or to continue to serve as Guardian, I nominate \_\_\_\_\_ of \_\_\_\_\_, to be  
(name) (city and state)  
Guardian in (his, her) stead.

### ARTICLE IV

I nominate my wife to be Executrix of this will. In the event she does not survive me or is unable or unwilling to serve or to continue to serve as Executrix, I nominate \_\_\_\_\_ of \_\_\_\_\_, to be Executor in her place. If he does not survive me or is unable or unwilling to serve or to continue to serve as Executor, I nominate \_\_\_\_\_ of \_\_\_\_\_, to be  
(name) (city and state) (name) (city and state)  
Executor in his place.

### ARTICLE V

I direct that no executrix, executor or administrator with this will be required to furnish a surety or sureties upon her or his official bond.

## ARTICLE VI

No person dealing with my [Executrix, Executor], shall be obliged to see to the application of any money, securities or other property paid or delivered to (him, her) to inquire into the propriety or expediency of any transaction.

## ARTICLE VII

**A.** In addition to the powers conferred by common or statutory law or by other provisions of this will, my [Executrix, Executor] shall have the power without order or license of court: to retain for a reasonable period of time any property, real or personal, I may own at my death and to invest or reinvest said property, without being limited by any statutes or rules of law relating to investments by fiduciaries; to hold cash uninvested for reasonable periods of time; to sell any property in my estate at private or public sale; to sell, lease, exchange and make contracts concerning real or personal property as (he, she) deems advisable, such leases which may extend beyond the term of the settlement of my estate; to furnish options; to deliver appropriate instruments; to settle by compromise, litigation or arbitration any claim or matter in dispute; and to take any and all other acts which (he, she) may determine to be necessary or advisable for the proper, efficient and advantageous settlement, management, administration and distribution of my estate.

**B.** All estate, inheritance, or succession taxes, including penalties and interest levied thereupon, levied on my estate or any bequest or devise of this will and upon all property taxable by reason of my death, shall be paid by my [Executrix, Executor] out of the residue of my estate without any apportionment.

**C.** No [Executrix, Executor] hereof shall ever be liable for involuntary losses or for any loss or damage except such as is caused by [her, his] own individual bad faith; my [Executrix, Executor] may, from time to time, consult and employ counsel with respect to the meaning, construction and operation of this will and may act on the advice of counsel without incurring liability on account of any such actions.

**D.** All powers, duties and discretions given in this will to the [Executrix, Executor] herein named may be exercised by any person succeeding in said office including any administrator with this will annexed.

ARTICLE VIII

I request that the appointment of any person to represent the interest of persons unborn or unascertained in connection with the allowance of any account of any executrix, executor, administrator or trustee hereunder be dispensed with.

IN WITNESS WHEREOF, I set my hand and in the presence of the two witnesses declare this to be my last will this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
*Testator/Testatrix*

*Signed, sealed, published and declared by \_\_\_\_\_  
\_\_\_\_\_ as and for his last will and testament in our presence who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

\_\_\_\_\_  
\_\_\_\_\_  
*(Name and address of witness)*

\_\_\_\_\_  
\_\_\_\_\_  
*(Name and address of witness)*

STATE \_\_\_\_\_

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

The undersigned authority on this day personally received the (testator, testatrix) and the witnesses whose names are signed to the attached or foregoing instrument, and, all of these persons being by me duly sworn, the (testator, testatrix) declared to me and to the witnesses in my presence that the instrument is (his, her) last will and that (he, she) had willingly signed or directed another to sign for (him, her), and that (he, she) executed it as (his, her) free and voluntary act for the pur-

poses therein expressed; and each of the witnesses stated to me, in the presence of the (testator, testatrix), that he or she signed the will as witness and that to the best of his or her knowledge the (testator, testatrix), was eighteen years of age or over, of sound mind and under no undue influence.

\_\_\_\_\_  
*Testator/Testatrix*

\_\_\_\_\_  
*Witness*

\_\_\_\_\_  
*Witness*

*Subscribed and sworn to before me by the said [testator, testatrix] and the said witnesses, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.*

\_\_\_\_\_  
*Notary Public*

My Commission Expires: