

LAST WILL AND TESTAMENT
OF

ARTICLE ONE

I, ____, a resident of the State of California, County of ____, declare the following:

This document is my Will, and I revoke all other Wills and Codicils that I have previously made.

I am of sound and disposing mind and memory, and not acting under duress, menace, force, fraud or undue influence of any person whomsoever, and I intend this Will to dispose of all property subject to my testamentary power.

ARTICLE TWO

I am presently unmarried. I have never had any natural born or adopted children.

ARTICLE THREE

1. I make the following specific gifts:

- a. To ____, of ____, California, I give ____.
- b. To ____, of ____, California, I give ____.
- c. To ____, of ____, California, I give ____.

OR

1. I give my entire estate to ____, of ____, California; however, if ____ should predecease me, or fail to survive me, or we die simultaneously, then my entire estate shall go to ____ of ____, California.

OR

1.. I give [all of my personal property OR my entire estate OR the rest, residue and remainder of my estate] to _____, It is my hope that _____ shall share this bequest with my friends and family members in accordance with wishes I have made known to her , but she shall have sole and absolute authority to determine the nature, character and beneficiary of any gifts she makes of property she receives by this bequest. If _____ shall fail to survive me or shall decline this bequest or any portion of it, any remaining personal property shall be given to _____, with the same condition and hope that she shall share this bequest with my friends and family.

2. I give the rest, residue and remainder of my estate, in equal shares, to the following:

- a. **[for relative]** my sister, ____, of ____, California.
- b. **[for non relative]** ____, currently residing at **[current address]** .
- c. **[for non relative]** ____, currently residing at **[current address]**.

If any of the beneficiaries named above should fail to survive me, their share shall be distributed pro rata among the surviving beneficiaries. **[to be used only where entire estate or residue is split into shares]**

ARTICLE FOUR

For all gifts under this Will, a beneficiary shall not be deemed to have survived me if that beneficiary dies within sixty (60) days after my death. If the beneficiary fails to survive me, that beneficiary's gift shall lapse and become part of the rest, residue, and remainder of my entire estate.

ARTICLE FIVE

I nominate ___ of ___, California, as Executor. If for any reason ___ should decline or fail to qualify as Executor, then I nominate ___, of ___, California, as Executor. No Executor of this Will shall be required to post a bond. The term "Executor" shall include any personal representative of my estate.

My Executor may administer my estate with full authority under the California Independent Administration of Estates Act.

My Executor shall have the power to retain any asset of my estate, including unproductive, speculative, or fluctuating assets. My Executor shall not be liable for any resulting losses, unless my Executor acts in bad faith.

My Executor shall have the power to sell, with or without notice, at either public or private sale, for cash or terms, any property of my estate as my Executor in the Executor's reasonable discretion considers necessary for the proper administration and distribution of my estate, subject only to such confirmation of Court as may be required by law.

ARTICLE SIX

If any beneficiary under this Will, in any manner, directly or indirectly, contests or

attacks this Will or any of its provisions, any share or interest in my estate given to that contesting beneficiary under this Will is revoked and shall be disposed of in the manner provided herein as if that contesting beneficiary had predeceased me without issue.

ARTICLE SEVEN

Except as otherwise provided in this Will, I have intentionally omitted to provide herein for any of my heirs, or persons claiming to be my heirs, living at the date of my death, whether or not known to me. At the time of the making of this Will, my immediate family members include: **[former spouses, siblings, parents here]**. The absence of a gift for any of my relatives does not indicate any lack of affection for them.

ARTICLE EIGHT

I designate ____, of ____, California to have sole responsibility for the disposition of my remains. If for any reason ____ is unable, or fails to perform this duty, then I designate ____, of ____, California. I desire cremation, and **[insert instructions for disposition of remains]**. [I do not wish for any memorial service or funeral/wish that my Executor arrange for a [religions/non-religious] memorial service at _____.]

ARTICLE NINE

If my spouse does not survive me, and if at my death any of my children are minors, I nominate as guardian and successor guardian of any estate of my minor child or children, in the order and priority indicated, the following people: ___ of ___, California; ___ of ___, California.

If for any reason it is necessary to appoint a guardian of the person of any of my children, I nominate ___ of ___, California, to act as the guardian. If for any reason ___ should decline or fail to qualify, then I nominate ___, of ___, California, to act as the guardian.

I give the guardian of the person of my children the same authority over the person of my child as a parent having legal custody of a child and authorize the guardian to exercise the power without the need for notice, hearing, court authorization, instructions, approval, or confirmation in the same manner as if the authority were exercised by a parent having legal custody of a child. I request that no additional bond be required due to the grant of these independent powers.

ARTICLE TEN

I have not entered into either a contract to make Wills or a contract not to revoke

Wills.

I hereby subscribe my name to this Will at ____, California, on
_____, 20____.

Name

The Testator declared to us the undersigned, that this instrument consisting of 7 pages, including the page signed by us as witnesses, was the Testator's Will and requested of us to act as witnesses to it. The Testator thereupon signed this Will in our presence, all of us being present at the same time. We now, at the Testator's request, in the Testator's presence and in the presence of each other, subscribe our names as witnesses.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____, at ____, California.

[Name]

[Address]

[Name]

[Address]