**SAMPLE WILL**

**LAST WILL OF**

Mary Jones

I, Mary Jones , a resident of Los Angeles , State of California , being of sound mind and memory, at least eighteen years of age, fully understanding the implications of and intending to create a last will to provide for the disposition of my property upon my death, and not under any duress or undue influence, declare this to be my LAST WILL (“Will”), hereby revoking all previous will and codicils made by me.

**I. FAMILY INFORMATION**

I have the following spouse, and all references to “spouse” or “husband/wife” in this Will refer to my spouse:

Name: William Jones Date of Marriage: 10/18/1979

Date of Birth: 2/1/1964 Social Security Number: 987-65-4321

I have the following children, biological or adopted, and all references to a “child” or “children” in this Will refer to one or all of these children, as context may require:

Name: William Jones, Jr. Date of Birth: 4/13/1982

Social Security Number: 987-56-3144 City/State of Residence: Los Angeles, CA

Name: Jillian Jones-Perkins Date of Birth: 5/5/1985

Social Security Number: 987-55-1111 City/State of Residence: Atlanta, GA

Name: Damien Jones Date of Birth: 12/1/1999

Social Security Number: 987-54-9999 City/State of Residence: Los Angeles, CA

Name: Date of Birth:

Social Security Number: City/State of Residence:

Name: Date of Birth:

Social Security Number: City/State of Residence:

Name: Date of Birth:

Social Security Number: City/State of Residence:

**II. APPOINTMENT OF EXECUTOR**

I appoint my spouse, William Jones , as the executor of my Will. If my spouse is unable or unwilling to serve as executor, then I appoint Thomas Day as the executor. The executor will serve without bond and will have the authority to carry out the provisions of my Will, including without limitation, the power to buy, sell, and maintain property; to pursue any claims or legal actions on behalf of my estate; and to pay my probate and funeral expenses prior to any distribution of property.

**III. GUARDIANSHIP OF MINOR CHILDREN**

In the event I die before a child of mine reaches the age of eighteen, and my spouse does not survive me, I appoint Jillian Jones-Perkins , who resides at 123 Main St., Atlanta, GA 30308 , to serve as guardian for my minor child(ren). If this named guardian is unable or unwilling to serve, then I appoint Thomas Day , who resides at 321 Elm Ave., Los Angeles, CA 90001 , as alternate guardian.

**IV. TRUST FOR THE BENEFIT OF THE MINOR CHILDREN**

In the event that I bequeath any of my estate in this Will to a child of mine who is under the age of eighteen years at the time of my death, then I direct that all such bequests for that child be held in a separate trust until the child reaches the age of 25 .

I appoint William Jones, Jr. , who resides at or which is located at 123 Side St., Apt. 1., Los Angeles, CA 90008 as the trustee for each child’s trust created by this Will. If this person or institution is unwilling or unable to serve as trustee, then I appoint Thomas Day , who resides at or which is located at 321 Elm Ave., Los Angeles, CA 90001 , as alternate trustee. The trustee will serve without bond.

*The Trustee’s Duties:* The trustee will convert to cash all debts and securities that are not qualified legal investments, will reinvest cash in proper securities, and will protect and preserve the trust property. The trustee will hold the trust property for the benefit of the child(ren) and may distribute the income or principal of the trust as the trustee deems necessary to provide for the child(ren)’s health, education, maintenance, and support.

*Termination of the Trust(s):* The termination of a child’s trust will occur upon any of the following: the child who is the named beneficiary dies before reaching the age of 25 , the child reaches the age of 25 , or the trust property is depleted through properly authorized distributions by the trustee. Upon the termination of the trust, all remaining property in such trust shall promptly be distributed outright to the beneficiary of the trust.

*The Trustee’s Authority:* The trustee will have the authority to hire accountants, agents, attorneys, investment advisors, tax advisors, and any other professional that is reasonably necessary to administer the trust and manage the trust assets.

*General Administration of the Trust(s):* Any child’s interest held in trust is nontransferable by either voluntary or involuntary assignment or by operation of law. All interests will remain free from claims of creditors, attachment, bankruptcy, execution, or any other legal process to the fullest extent permitted by law. As permitted by applicable laws, the trustee will serve without bond and will administer the trust at his/her discretion, independent of court supervision to the maximum extent permitted by law. The trustee may receive reasonable compensation for his/her services.

**V. DISINHERITANCE**

I intentionally and with full knowledge of the consequences disinherit to the maximum extent permissible under applicable law, and deliberately provide nothing in my Will, for the following of my children (otherwise, write “N/A” below):

Name: N/A Date of Birth:

Social Security Number:

Name: Date of Birth:

Social Security Number:

Name: Date of Birth:

Social Security Number:

**VI. SPECIFIC BEQUESTS**

*Personal Property*

I bequeath all of my personal property, both tangible and intangible, and all of my cash, to my spouse, William Jones . In the event that my spouse fails to survive me, then I bequeath all, or the portion listed below, of my personal property, tangible and intangible, and cash to the following individuals(s) and charity(ies), as specified below:

Name: Item(s), Amount, or Percentage:

Thomas Day $500 cash and my 2004 Chevy Tahoe;

All of my children Equal shares of the rest of my personal

property & cash.

*Real Property*

I bequeath my title, rights, and interest in any real property, together with any related insurance policy and claims, to my spouse, William Jones . In the event that my spouse fails to survive me then I bequeath all my title, rights, and interest in any real property, together with any related insurance policy and claims, to the following individual(s) and charity(ies):

Name: Property:

All of my children Equal shares

**VII. RESIDUARY CLAUSE**

All of the rest, residue, and remainder of my property, both real and personal, and including without limitation any cash, stocks, bonds, mutual funds, together with any insurance claims and policies covering the same and the proceeds of any claim or legal action, not otherwise disposed of above, I bequeath to my spouse he/she survives me; otherwise, to the following individuals(s) and charity(ies), as specified below:

Name: Percentage:

Thomas Day 100%

If this (these) individual(s) or charity(ies) fail(s) to survive me, then I bequeath the residue of my estate to American Red Cross of Los Angeles .

**VIII. SIMULATANEOUS DEATH OF A BENEFICIARY**

If any named beneficiary of this Will, including any beneficiary of a trust established by this Will, does not survive me, dies within sixty days of my death, or dies prior to the distribution of my estate then I will be deemed to have survived that person and no distribution will be made under this Will to such a beneficiary.

**IX. SEVERABILITY**

The invalidity or unenforceability of any provision of this Will shall not affect the validity or enforceability of any other provision of this Will. If a court of competent jurisdiction determines that any provision of this Will is invalid, the remaining provisions of this Will shall remain in full force and effect.

*Mary Jones* 1/1/2007

Signature of Testator Date Executed

Mary Jones

Printed or Typed Name of Testator

123-45-6789

Social Security Number of Testator

1000 Any St., Los Angeles, CA 90001

Address of Testator

**WITNESSES**

We, the witnesses sign our name to this Will, and we declare under penalty of perjury that the foregoing Testator, willingly signed this Will in our presence, intending it to be his/her last will and understanding its contents, on this 1st day of January , 20 07 , at Los Angeles , in the State of California . To the best of our knowledge, the Testator is eighteen years of age or older, of sound mind and memory, under no undue constraint or undue influence, and we are not beneficiaries under this Will.   
  
  
 *Alan Smithee*  [Signature of Witness #1]

Alan Smithee [Printed or Typed Name of Witness #1]

1 A St., Apt. B [Address of Witness #1]

Los Angeles, CA 90002 [Address of Witness #1]

*Elizabeth Smithee* [Signature of Witness #2]

Elizabeth Smithee [Printed or Typed Name of Witness #2]

1 A St., Apt. B [Address of Witness #2]

Los Angeles, CA 90002 [Address of Witness #2]

*John Dough*  [Signature of Witness #3]

John Dough [Printed or Typed Name of Witness #3]

One Private Way [Address of Witness #3]

Beverly Hills, CA 90210 [Address of Witness #3]

***FOR NOTARY PUBLIC:***

STATE OF CALIFORNIA COUNTY OF LOS ANGELES      
   
On the day of , 20 , before me, a Notary Public in and for the above state and county, personally appeared (the Testator), and , , and , witnesses, known to me or proved to be the persons who executed and witnessed the foregoing LAST WILL, and being first duly sworn, such persons acknowledged that they executed and witnessed said Will before me.

Notary Public (Print Name):

Notary Public (Signature):

My Commission Expires:   
 (SEAL)