**Last Will and Testament of**

**{ENTER FULL NAME}**

I, ***{ENTER FULL NAME}****,* a resident of a County within the State of ***{ENTER RESIDENCY STATE},*** hereby establish and convey this document as my Final Declaration of Will. By doing so, I formally revoke any and all preceding Wills and previously executed by me.

**FAMILY AND DESCENDANTS**

I, ***{ENTER FULL NAME}*,** attest that I am Single.

In this Will, any mention of the offspring of an individual shall pertain to their naturally born or legally adopted children, unless explicitly specified otherwise. This designation extends to encompass the subsequent generations of the aforementioned children.

**ARRANGEMENTS FOR BURIAL**

The financial obligations associated with my burial arrangements are to be covered from the proceeds of any life insurance policies or the assets of my estate, as applicable.

**SETTLEMENT OF DEBTS AND EXPENSES**

All debts and liabilities owing at the time of my passing, including but not limited to funeral expenses, administrative costs related to my estate, estate taxes, and any applicable interest or penalties, shall be satisfied from my estate in accordance with the laws of the State of ***{ENTER RESIDENCY STATE}.*** This distribution shall transpire without any proportional burden placed upon the beneficiaries named in this Will.

**DISPOSITION OF PERSONAL POSSESSIONS**

All tangible personal property under my ownership upon my demise, such as personal effects, attire, jewelry, furniture, household goods, automobiles, and any associated insurance policies, shall be bestowed to the individuals outlined in the attached document titled "Beneficiary Designations Schedule." If any designated beneficiaries are under the age of eighteen (18), the entrusted property shall be maintained in trust until they attain legal adulthood.

Aforementioned "Beneficiary Designations Schedule" shall be executed by my chosen Executor, who shall oversee the allocation of these assets and cover any reasonable fees incurred during this process.

**ALLOCATION OF CASH, ACCOUNTS, AND INVESTMENTS**

Any financial interests attributed to me upon my passing, as stipulated in the corresponding "Beneficiary Designations Schedule," shall be distributed and managed in compliance with the instructions provided therein. This includes funds in checking and savings accounts, certificates of deposit, cash holdings, checks, notes, and promissory notes.

**RESIDUAL ESTATE**

My entire remaining estate, encompassing real and personal property of all types and locations, as well as potential inheritance, lapsed legacies, or void bequests under this Will, collectively referred to as my "residuary estate," shall be divided among the individuals designated in the attached "Beneficiary Designations Schedule." Should any of these beneficiaries be below eighteen (18) years of age, their share shall be held in trust until they attain legal adulthood.

In the event that no living beneficiary is eligible to receive assets from my residuary estate, distribution shall be governed by the laws of descent and distribution in the State of ***{ENTER RESIDENCY STATE}*** as if I were intestate at that juncture.

**ESTABLISHMENT OF A TESTAMENTARY TRUST**

Any assets, property, or bequests from my estate destined for beneficiaries under the age of eighteen (18) at the point of allocation shall not be directly disbursed. Instead, they shall be held in trust by my designated Trustee or, in the absence of such designation, by my appointed Executor acting as Trustee, under the ensuing terms and conditions:

The Trustee is empowered to manage, invest, and reinvest the assets in a separate trust, distributing net income or principal to cater to the beneficiary's healthcare, education, maintenance, and sustenance. The decision-making process should factor in the availability of alternative resources. Any unallocated net income shall be accumulated and added to the principal, subject to periodic review and action.

Upon the beneficiary reaching the age of [18], a proportion of the trust's assets shall be disbursed to them. Subsequently, upon attainment of [25], the trust shall cease to exist, and all remaining principal and income shall be conveyed to the beneficiary. The Trustee reserves the authority to preemptively dissolve the trust if it is deemed beneficial for the beneficiary, absolving them of any responsibility in such matters.

If the beneficiary were to pass away prior to receiving their full trust allocation, the trust's principal and income shall be allocated to their living Descendants. In the absence of Descendants, my living Descendants shall inherit the assets, subject to any existing trust provisions. Should no living Descendants be present, distribution shall adhere to the residual estate beneficiaries specified in this Will, or to the lawful beneficiaries as per the State of ***{ENTER RESIDENCY STATE}***'s descent and distribution laws, simulating an intestate scenario.

**MINIMIZATION OF CONSERVATORSHIP**

In circumstances where my estate's assets vest in a minor or incapacitated individual, my Executor is granted the following prerogatives:

a) Disbursement of all or a portion of the assets to the beneficiary;

b) Creation of a trust to allocate assets for the beneficiary's well-being;

c) Transfer of assets to the custody of a legal guardian or representative;

d) Establishment of a custodial account as per the applicable minor gifting/transfers act;

e) Delivery of assets to the beneficiary's place of residence.

Receipt of assets by the designated party shall serve as a comprehensive release of my Executor from any legal obligations concerning the distribution. Should the beneficiary's demise precede the full disbursement, the trust's principal and income shall be transmitted to their surviving Descendants, if any exist. In the absence of Descendants, my own Descendants shall inherit these assets as established in this Will. Should no living Descendants be present, distribution shall adhere to the residual estate beneficiaries specified in this Will, or to the lawful beneficiaries as per the State of ***{ENTER RESIDENCY STATE}’***s descent and distribution laws.

**PROTECTION AGAINST CREDITORS**

The interests of any beneficiary identified within a trust established through this Will shall remain immune to transfer, assignment, or seizure by creditors, government agencies, or private entities. The designated Trustee, or my Executor if no Trustee is designated, is obliged to uphold this protection and distribute trust property directly to the beneficiary as per the stipulations herein.

If legal or financial constraints impede the direct distribution, the Trustee shall retain and accumulate the trust property until feasible distribution becomes possible or until the beneficiary's demise, at which point the accumulated property shall integrate into the trust's principal and be handled accordingly.

**APPOINTMENT OF EXECUTOR AND TRUSTEE**

The roles of Executor and Trustee under this Will are hereby established, with the following provisions:

a) Neither Executor nor Trustee is obligated to present any bond, surety, or collateral in any jurisdiction, nor are they required to furnish inventory or reports to any court.

b) The Executor or Trustee is exempt from any audit or investigation of the acts of their predecessors and is absolved from any claims against said predecessors or their estates.

**POWERS OF EXECUTORS AND TRUSTEES**

Executors and Trustees serving under this Will are endowed with all powers bestowed by law, and any subsequent Executor or Trustee shall inherit these powers, privileges, immunities, and exemptions to the same extent as their predecessor. A complete and transparent account of all financial transactions shall be provided to beneficiaries eligible to receive income from my estate or any established trust on an annual basis, with additional information furnished upon reasonable request.

Resignation from the role of Executor or Trustee is permitted without court approval or beneficiary consent, upon providing written notice to the intended successor and all pertinent beneficiaries, including the guardians of those beneficiaries. Executor resignation shall involve informing the relevant court, while Trustee resignation necessitates the transference of trust property to the successor Trustee. Upon satisfactory accounting for all estate or trust property, the resigning Fiduciary shall be exonerated from further responsibilities and liabilities.

If a successor Fiduciary is unable or unwilling to serve, they possess the authority to appoint a secondary successor Fiduciary. This designation should be documented and delivered to living beneficiaries, and the secondary successor Fiduciary is permitted to undertake prospective powers until formalization.

These powers encompass the authority to engage legal counsel and employ necessary personnel for effective administration, delegate authority when advantageous, and continue exercising power even after trust termination until all assets are distributed.

**COMPENSATION AND EXONERATION**

Fiduciaries under this Will have the right to reasonable compensation for their services, inclusive of estate and trust expenses. They are also entitled to exoneration from all reasonable charges and fees of the estate and trust.

**SURVIVORSHIP CLAUSE**

In the context of this Will, a beneficiary will be presumed to have predeceased me if they do not survive me by more than thirty (30) days.

**DISALLOWANCE OF CONTESTS**

Any beneficiary who contests the validity of this Will or initiates legal proceedings to thwart its execution, whether or not such action is in good faith, shall forfeit all benefits allocated to them in this Will, including those designated for their Descendants. In such an event, the share meant for the contesting beneficiary shall be redirected to other beneficiaries or distributed in accordance with applicable descent and distribution laws, simulating a hypothetical scenario of the contesting beneficiary's predecease.

IN WITNESS WHEREOF, I, ***{ENTER FULL NAME}****,* hereby affix my signature and seal on this **{TODAY’S DATE}.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Signature]

**TESTAMENTARY WITNESS STATEMENT**

The undersigned witnesses, being present at the time of signing, sealing, publication, and declaration of this document as the Last Will and Testament of ***{ENTER FULL NAME},*** verify that the aforementioned act occurred in their presence. We, at the request of ***{ENTER FULL NAME***}, and in the presence of each other, have appended our signatures as witnesses on the indicated date.

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[First Witness Signature] [Second Witness Signature]

**BENEFICIARY DESIGNATION SCHEDULE**

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| --- | --- | --- | --- |
| **BENEFICIARY NAME** | **RELATIONSHIP** | **PROPERTY**  **INHERITANCE** | **INHERITANCE PERCENTAGE** |

|  |  |
| --- | --- |
|  | **( Signature)** |