

Last Will and Testament
of
__[Husband's Name]__

I, __[Husband's Full Name]__, a resident of __[Name]__ County, California, hereby declare this to be my Last Will and Testament and hereby revoke all former wills and other testamentary dispositions I have previously made.

FIRST: I am married to __[Wife's Full Name]__, and all references in this Will to "my wife" are to her. I have two children now living, __[Child's Name]__ and __[Child's Name]__, and all references in this Will to "my children" are to them.

SECOND: I confirm to my wife her interest in our community property.

THIRD: In the event of my death, I give my entire estate, both personal and real property, to my wife if she survives me for a period of thirty days, and if she does not, I direct that my estate be divided as follows:

A. My children may divide the personal and household items contained in my estate equally between them as they desire. It is my desire that my grandchildren also choose personal items belonging to my estate.

B. I give any interest that I may have in real property to my two children in equal shares.

C. I give my __[type of]__ collection to my children jointly. It is my desire that they keep the collection intact and not divide it between them. I suggest that they share possession of the collection on an equal time basis. __[This paragraph can be replaced with a cash gift, a gift of any specific item, or any other specific bequest.]__

D. If either of my children should predecease me, that child's share shall be given to his or her living issue by right of representation, or if he or she has no living issue, that child's share shall be given to my surviving child.

FOURTH: I have purposely made no provision for any other person, whether claiming to be an heir of mine or not, and if any person, whether a beneficiary under this Will or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such person so contesting or objecting the sum of One Dollar and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

FIFTH: I hereby nominate my wife, ___[Name]___, as Executor of this, my Last Will and Testament, to serve without bond. If she should be unable or unwilling to serve, I nominate ___[Child's Name]___ and ___[Child's Name]___ as Co-Executors.



1. My executor may administer my estate under the California Independent Administration of Estates Act.



2. My executor may sell, with or without notice, at either public or private sale, for cash or terms, any property of my estate that my executor considers necessary for the estate's proper administration and distribution.



3. My executor may lease all or any part of the real or personal property of my estate on terms that my executor considers proper.



My executor may consider the income tax bases of estate assets when allocating property to fulfill devises. My executor may make adjustments to shares or gifts to compensate for the tax consequences of any distribution that my executor believes may directly or indirectly prefer one beneficiary or group over another; my executor's decisions in this regard shall be final. My executor may allocate property to fulfill devises without regard to the income tax bases of estate assets and shall not be liable for failure to exercise the powers to consider tax bases or to make compensatory adjustments provided above.



I subscribe my name to this will this _____th day of June, 20__ at ___[City]___, California.

___[Husband's Full Name]___

Attestation

The foregoing instrument, consisting of three pages, including the page signed by us as witnesses, was on the day it bears date, by the said ___[Husband's Full Name]___, signed and published as and declared to be his Last Will and Testament in the presence of us, who at his request and in his presence and in the presence of each other have subscribed our names as witnesses thereto.

We believe that the testator is over age eighteen, is of sound mind, and is under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct, and that this declaration of was signed on __[Date]__, at __[City]__, California.

_____ of __[Address]__, California
[Witness Name]

_____ of __[Address]__, California
[Witness Name]

Last Will and Testament
of
__[Wife's Name]__

I, __[Wife's Full Name]__, a resident of __[Name]__ County, California, hereby declare this to be my Last Will and Testament and hereby revoke all former wills and other testamentary dispositions I have previously made.

FIRST: I am married to __[Husband's Full Name]__, and all references in this Will to "my husband" are to him. I have two children now living, __[Child's Name]__ and __[Child's Name]__, and all references in this Will to "my children" are to them.

SECOND: I confirm to my husband his interest in our community property.

THIRD: In the event of my death, I give my entire estate, both personal and real property, to my husband if he survives me for a period of thirty days, and if he does not, I direct that my estate be divided as follows:

A. My children may divide the personal and household items contained in my estate equally between them as they desire. It is my desire that my grandchildren also choose personal items belonging to my estate.

B. I give any interest that I may have in real property, including the lease interest at Ruth Lake, to my two children in equal shares.

C. I give my husband's arrowhead collection to my children jointly. It is my desire that they keep the collection intact and not divide it between them. I suggest that they share possession of the collection on an equal time basis.

D. If either of my children should predecease me, that child's share shall be given to his or her living issue by right of representation, or if he or she has no living issue, that child's share shall be given to my surviving child.

FOURTH: I have purposely made no provision for any other person, whether claiming to be an heir of mine or not, and if any person, whether a beneficiary under this Will or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such person so contesting or objecting the sum of One Dollar and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

FIFTH: I hereby nominate my husband, ___[Husband's Full Name]___, as Executor of this, my Last Will and Testament, to serve without bond. If he should be unable or unwilling to serve, I nominate ___[Name]___ and ___[Name]___ as Co-Executors.




1. My executor may administer my estate under the California Independent Administration of Estates Act.



2. My executor may sell, with or without notice, at either public or private sale, for cash or terms, any property of my estate that my executor considers necessary for the estate's proper administration and distribution.



3. My executor may lease all or any part of the real or personal property of my estate on terms that my executor considers proper.

 My executor may consider the income tax bases of estate assets when allocating property to fulfill devises. My executor may make adjustments to shares or gifts to compensate for the tax consequences of any distribution that my executor believes may directly or indirectly prefer one beneficiary or group over another; my executor's decisions in this regard shall be final. My executor may allocate property to fulfill devises without regard to the income tax bases of estate assets and shall not be liable for failure to exercise the powers to consider tax bases or to make compensatory adjustments provided above.



I subscribe my name to this will this _____th day of ___[Month]___, 20___ at ___[City]___, California.

___[Wife's Full Name]___

Attestation

The foregoing instrument, consisting of three pages, including the page signed by us as witnesses, was on the day it bears date, by the said ___[Wife's Full Name]___, signed and published as and declared to be her Last Will and Testament in the presence

of us, who at her request and in her presence and in the presence of each other have subscribed our names as witnesses thereto.

We believe that the testator is over age eighteen, is of sound mind, and is under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct, and that this declaration of was signed on __[Date]__, at __[City]__, California.

_____ of [Address]
[Witness Name]

_____ of [Address]
[Witness Name]