

LAST WILL AND TESTAMENT

OF

JOHN DOE

STATE OF _____)(

)(

COUNTY OF _____)(

KNOW ALL MEN BY THESE PRESENTS THAT:

I, JOHN DOE, an adult residing in the County of Dallas, the State of Texas, being of sound and disposing mind and memory, do freely and without mutual contract or consideration, make, publish, and declare this to be my Last Will and Testament, thereby revoking all wills or any codicils thereto, if any, heretofore made by me.

ARTICLE I

I direct that I be given a decent burial in accordance with my accustomed life-style and suitable to my circumstances and station in life, as determined by my Executor, to be hereinafter appointed, at said Executor's sole discretion.

ARTICLE II

I direct that all my legally enforceable debts, funeral expenses, Federal Estate Taxes, State Inheritance Taxes, and expenses of administration be paid by my Executor, to be hereinafter appointed, out of my residuary estate as soon as practicable following my death.

My Executor, unless otherwise expressly authorized and directed herein, shall not pay any indebtedness secured by lien on property disposed of by this Will, but such property shall be distributed to the beneficiary or beneficiaries entitled thereto subject to any liens securing any such indebtedness.

ARTICLE III

It is my desire that all my property, both real and personal, of which I may die, seized or possessed, after payment of all my legally enforceable debts, taxes, and funeral expenses, together with the expenses of probating this Will, pass and vest as follows:

TO: JANE ROE, my spouse, I give, devise, and bequeath all of that property, real, personal or mixed, of which I die seized or possessed,

subject to the provisions hereinafter set forth.

Should my spouse predecease me or fail to survive me for no less than thirty (30) days, then, and only then, any gift to such person shall lapse and the subject thereof shall, instead, be divided in equal shares, said shares being equal in number to the number of children born of or adopted by me, and that one such share shall respectively pass to and vest, per stirpes and not per capita, in each of my said children. If such gift lapses, then the subject thereof shall, instead, pass and vest to my Parents, JOHN SMITH and DAWN SMITH, who presently reside at 1234 Main Street, Anytown, Anycounty, Anystate 56789.

ARTICLE IV

I nominate, constitute, and appoint my Spouse, JANE ROE, who currently resides at 987 Elm Street, Anytown, Anycounty, Anystate 56789, as my Independent Executor of my Will and Estate.

If, and only if, said nominee becomes incapacitated or otherwise fails to serve, then, and only then, I nominate, constitute, and appoint my Father, JOHN SMITH, who presently resides at 1234 Main Street, Anytown, Anycounty, Anystate 56789, as Independent Executor of my Will Estate.

I direct that no bond be required of any Independent Executor in such capacity.

Said Executor shall have full and complete and discretionary power to renew and extend debts, borrow money, purchase and/or sell real or personal property for whatever purposes and upon such terms as the Independent Executor deems proper. In addition thereto, said Independent Executor shall have all powers and authority granted and given to trustees under the terms of the Texas Trust Act as existing at the time of the exercise of any such powers and authority.

ARTICLE V

It is my will that no action be had in the Courts in the administration of my estate other than to prove and record this Will, and to return my inventory and list of claims.

ARTICLE VI

Every beneficiary under this Will or any third person, whether heir or otherwise, who shall contest in any Court any provision of this or these instruments or who shall not defend or assist in good faith in the defense of any and all such contests shall not be entitled to any benefits under any said instrument or any codicils hereto and any and all benefits, devises, legacies, in or apportions of income or corpus of my Estate otherwise provided to be paid to such person shall lapse and be paid, distributed, and pass on as though such person had died prior to my death, leaving no lawful descendants.

My Executor herein named is specifically authorized to defend at the expense of my Estate any contest or attack of any nature upon this Will or any Codicils thereto or upon any paragraph or provision thereof.

ARTICLE VII

Words of gender used herein shall be held to include any gender, and words of singular number shall be held to include the plural and vice versa, unless the context requires otherwise.

IN WITNESS WHEREOF, I hereunto have subscribed my hand to this my Last Will and Testament, and, at my request, the undersigned persons, each of the County of Dallas and State of Texas, and each credible witnesses above the age of fourteen (14) years of age, in my presence and in the presence of each other, have hereunto set their names as witnesses at Dallas, Dallas County, Texas, on this the ____ day of _____, 20__.

JOHN DOE, Testator

SIGNED, DECLARED, AND PUBLISHED by said Testator, as Testator's Last Will and Testament in the presence of us, the attesting witnesses, who hereunto subscribe our names in the presence of said Testator, and in the presence of each other at Testator's instance and request this the ____ day of _____, 20__.

WITNESS

WITNESS

ADDRESS

ADDRESS

TESTATOR'S SELF-PROVING AFFIDAVIT

STATE OF TEXAS)(
)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned authority, on this day, personally appeared JOHN DOE, Testator, and each of the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities and all of said persons being by me duly sworn, the said Testator declared to me and to the said witnesses in my presence that said instrument is Testator's Last Will and Testament, and that Testator had willingly made and executed it as Testator's free act and deed for the purposes therein expressed; and the said witnesses, each on his or her oath stated to me, in the presence and hearing of the said Testator, that the said Testator had declared to them that Testator executed same as such and wanted each of them to sign it as a witness; and upon their oath each witness stated further that they did sign the same as witnesses in the presence of the Testator and at Testator's request, that Testator was at the time eighteen (18) years of age or older and was of sound mind, and that each of said witnesses was then at least fourteen (14) years of age or older and of sound mind.

JOHN DOE, Testator

WITNESS

WITNESS

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME by the said Testator and subscribed and sworn to before me by the aforesaid witnesses on this the ____ day of _____, 20____.

Notary Public, State of Texas
Notary's name (printed):
Notary's commission expires: