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**LAST WILL AND TESTAMENT**

**OF**

**NAME SURNAME**

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**Simple Will - Basic Provisions Included Only**



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# LAST WILL AND TESTAMENT

of

**Name Surname**

This is the Last Will and Testament of Name Surname of Street Address, City, County, Alabama.

1. I, being of sound and disposing mind and memory and having attained the age of majority in Alabama, hereby revoke all former Wills, codicils and other testamentary dispositions at any time heretofore made by me and declare this to be my last Will.
2. I am not married nor do I have a domestic partner. I do not have any living children. I do not have any living grandchildren.
3. I appoint sdfs of sdfs (hereinafter called "my Executor") to be executor of this my Will. The expression "Executor" wherever used in this my Will shall, unless otherwise stated, mean the person or persons from time to time acting in the office of executor and personal representative of this my Will, and wherever the singular or masculine are used throughout this Will, the same shall be construed as meaning the plural or feminine or body corporate (and vice versa) where the context so requires.
4. I direct that my executor should bury me at asdas.
5. All/Part of the clause/clauses have been deleted from this section for the sample review.
6. I give and bequeath the sum of \$2,432 to sdfsd of xxxxx for the general charitable purposes of the said charity in the United States. The receipt of the appropriate officer shall be sufficient receipt to my Executor for payment of the said sum.
7. I give devise and bequeath all the rest, residue and remainder of my estate of every nature and description and kind, wheresoever situate, to my Executor to divide as follows:
  - (i) As to 50% thereof to xxxx of xxxxx. In the event that sdfsd shall fail to survive me, I give devise and bequeath xxxxx's share of my residue estate to sdfs of sdfsd.
8. In addition to all powers allowable to executors under the laws of this state, my Executor shall have the following powers:
  - (i) to dispose of any property or any interest therein at such times and upon such terms and conditions as shall seem proper and to give good and sufficient instruments of transfer and to receive the proceeds of any such disposition;
  - (ii) to purchase, manage, maintain and insure any property and to lease the same for such periods and on such terms as shall seem advantageous, and if advisable to pay for the value of any

improvements made by a tenant under any such lease; to incur, extend or renew mortgage indebtedness; to make ordinary and extraordinary repairs and alterations to any building, to raze or erect buildings and to make improvements or to abandon any buildings or property; and to make any agreement of partition of such property and to give or receive money or other property in connection therewith;

(iii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(iv) All/Part of the clause/clauses have been deleted from this section for the sample review.

(v) All/Part of the clause/clauses have been deleted from this section for the sample review.

(vi) to employ or retain such agents and advisors, including any firm with which any fiduciary may be affiliated, as may seem advisable and to delegate authority thereto, and to compensate them from the funds of my estate provided such compensation is reasonable in the circumstances;

(vii) to settle any entitlement of any beneficiary, in part or in whole, by payment in cash or by the transfer of a specific asset or assets to the beneficiary or to the legal guardian of the beneficiary with power to require the beneficiary or any such guardian to accept such asset or assets at such value or estimate of value as my Executor shall (acting reasonably) unilaterally deem fair; and

(viii) All/Part of the clause/clauses have been deleted from this section for the sample review.

9. All property left under this Will to xxxx, the management of which is not hereby otherwise provided for, shall be given to xxxxx of xxxxx, in the capacity of custodian under the Alabama Uniform Transfers to Minors Act, to hold until sdf reaches 21 years of age. If sdfs is unwilling or unable to serve as custodian for any reason, then I appoint sdf of sdf to serve as custodian instead.

10.1 All/Part of the clause/clauses have been deleted from this section for the sample review.

10.2 So much of the income from an individual child trust and, if the net income be at any time insufficient, so much of the principal of this trust as may be deemed necessary in the sole discretion of the trustee of the individual child's trust (taking into account all other sources of income, support and circumstances of the trust beneficiary of which the trustee has knowledge) may be either paid to or expended on behalf of the trust beneficiary (whichever in the trustee's sole discretion is deemed most appropriate) in order to ensure the support, maintenance, health, and education (including collegiate, vocational, professional, etc.) of the trust beneficiary.

10.3 An individual child trust established under this clause shall terminate on the earliest to occur of the following:

(i) All/Part of the clause/clauses have been deleted from this section for the sample review.

(ii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(iii) on the death of the trust beneficiary, in which case the property being held for that trust beneficiary shall be paid over and distributed (i) under the terms of the trust beneficiary's Will, (ii) to the trust beneficiary's issue (if any), per stirpes, or in default of such, (iii) to the trust beneficiary's brothers and sisters and descendants of deceased brothers and sisters, per stirpes, or, in default of such, (iv) to my heirs, determined as if I had died at the time of the trust beneficiary's death, pursuant to the General Statutes of Alabama as written on the date of this Will.

10.4 In addition to all statutory powers and common law powers of gratuitous trustees, and special powers herein conferred, a trustee of an individual child trust shall have the fullest powers of investment, realisation, administration, management and division of the trust estate or any part thereof as if that trustee was the beneficial owner thereof; and, in particular, without prejudice to the generality of the foregoing, that trustee shall have the powers set out hereinafter:

(i) to receive from any person, to retain and to invest and reinvest in any kind of property or investment;

(ii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(iii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(iv) to exercise or sell all rights, options, powers and privileges, and to vote in person or by proxy, in relation to any stocks, bonds or other securities, all as fully as might be done by persons owning similar property in their own right;

(v) to assent to, oppose and participate in any reorganization, recapitalization, merger, consolidation or similar proceeding, to deposit securities, delegate discretionary powers, pay assessments or other expenses and exchange property, all as fully as might be done by persons owning similar property in their own right;

(vi) All/Part of the clause/clauses have been deleted from this section for the sample review.

(vii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(viii) All/Part of the clause/clauses have been deleted from this section for the sample review.

(ix) to employ or retain such agents and advisors, including any firm with which any fiduciary may be affiliated, as may seem advisable and to delegate authority thereto, and to compensate them from the funds of my estate provided such compensation is reasonable in the circumstances; and

(x) to pay all necessary or proper expenses and charges from income or principal, or partly from each, in such manner as may seem equitable.

11. To the extent that provision has not been made under the Will for the management of any property, asset or item to be given outright to a person who is a minor, my Executor may, without court approval, pay or transfer all or part of such property to a parent or guardian of that minor or that minor's estate, to a custodian under the Uniform Transfers to Minors Act, or may defer payment or transfer of such property until the minor reaches the age of majority, as defined by his or her state of residence. No bond shall be required for such payments.
12. The interests of trust beneficiaries shall not be transferable in any way (whether voluntary or involuntary) and shall remain free from the claims of third parties and from orders of attachment, bankruptcy, execution and from all other legal processes to the fullest possible extent allowable by law.
13. All/Part of the clause/clauses have been deleted from this section for the sample review.
14. I declare that no executor of this Will shall be liable for any loss not attributable to the executor's own dishonesty or to the wilful commission by the executor of any act known to be a breach of executor's duties and obligations as executor.
15. I direct my Executor to pay all estate, inheritance and succession taxes (including any interest and penalties thereon) payable by reason of my death in accordance with the laws of the state of Alabama.
16. All/Part of the clause/clauses have been deleted from this section for the sample review.
17. All/Part of the clause/clauses have been deleted from this section for the sample review.
18. If any portion of my Will shall be held illegal, invalid or otherwise inoperative, it is my intention that all of the other provisions hereof shall continue to be fully effective and operative insofar as is possible and reasonable.

IN WITNESS HEREOF, I sign the foregoing as my Last Will and Testament, do it willingly and as my free and voluntary act for the purpose herein expressed, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Name Surname \_\_\_\_\_  
Testator

Signed by the said Testator as and for his last will and testament in our presence both of us being present at the same time who at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses.

\_\_\_\_\_  
Signature of Witness No. 1

\_\_\_\_\_  
Printed Name of Witness

\_\_\_\_\_  
Address (line 1) of Witness

\_\_\_\_\_  
Address (line 2) of Witness

\_\_\_\_\_  
Signature of Witness No. 2

\_\_\_\_\_  
Printed Name of Witness

\_\_\_\_\_  
Address (line 1) of Witness

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Address (line 2) of Witness

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Address (line 3) of Witness

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Address (line 4) of Witness

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Address (line 4) of Witness

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Address (line 5) of Witness

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