LAST WILL AND TESTAMENT

We, _____ and _____, husband and wife, declare this to be our last will and testament.

I.

We revoke all prior wills and codicils by us, or either of us, heretofore made.

II.

1. We have _____*[number]* children as the issue of our marriage. The name(s) of the child(ren) is/are:

Name	Birth Date	Address

2. All of the above-mentioned children are living. We have no deceased children.

3. The terms "child" and "children" as used in this will include the children mentioned in this will, any children born hereafter of whom we are the parents, and any children we may hereafter adopt.

III.

We have intentionally omitted to make provision in this will for any future spouse which either one of us might have.

IV.

This will is made pursuant to an agreement between us, by which it is mutually agreed that we would execute a joint and mutual will, leaving to the survivor all property, real and personal, of the party first to die, and on the death of the survivor, leaving all of his or her property to our children equally, share and share alike.

V.

It is our desire that, subject to the provisions of Paragraph VII, the survivor of us shall have absolutely and in fee simple all the property, real, personal, or mixed, which either or

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both of us may own or have any interest in at the death of the one of us first to die. Accordingly, we hereby devise and bequeath, subject to the provisions of Paragraph VII, unto such survivor all of such property.

VI.

It is our desire, and we hereby so direct, that on the death of the survivor of us, all of his or her property, real, personal, or mixed, shall be divided among our children equally, share and share alike. In the event any child or children predeceases the survivor of us, the heirs and representatives of the deceased child or children shall take per stirpes and share only in the portion the child would have received had he or she survived.

VII.

In the event that we die within _____ days of one another, the dispositive provisions of Paragraph V shall be inoperative, and all our property whether owned jointly or severally shall pass under the provisions of Paragraph VI.

VIII.

We appoint the survivor of us, _____*[name of husband]* or _____*[name of wife]*, as the case may be, as the executor of this will, and direct that no bond or other form of security be required of the survivor by reason of his or her acting in such capacity.

IX.

We appoint _____, of _____*[address]*, as the executor of this will, to serve without bond, when the survivor of us dies or in the event our deaths occur simultaneously, or in such proximity so as to preclude the survivor of us from acting in that capacity, or in the event the survivor of us is otherwise unable or unwilling to serve as the executor.

We, and each of us, make, publish, and declare this to be our last will and testament, subscribing our names on _____*[date]*, at _____*[address]*, _____ County, _____*[state]*, in the presence of

_____, _____,and_____, attesting witnesses, who subscribe their names to this will on _____*[date]* at our request and in our presence.

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_____

_____

_____

[Signatures]

ATTESTATION CLAUSE

On the date last above written, _____ and _____, known to us to be the persons whose signatures appear at the end of this will, declared to us, the undersigned, that the foregoing instrument, consisting of _____ pages, including the page on which we have signed as witnesses, was their joint and mutual will. They then signed the will in our presence and, at their request, in their presence and in the presence of each other, we now sign our names as witnesses.

residing at

_____ _____

[Signature] *(city, state)*

residing at

_____ _____

[Signature] *(city, state)*

residing at

_____ _____

[Signature] *(city, state)*

STATE OF _____

COUNTY OF _____

Subscribed, sworn to and acknowledged before me by _____ and _____, the Testators; and subscribed and sworn to before me by

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_____, _____ and
_____ witnesses,

this _____ day of _____, _____.

_____

_____

Notary Public

My commission expires _____

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