

# Will for Adult With Child(ren)

Will of \_\_\_\_\_

I, \_\_\_\_\_, a resident of \_\_\_\_\_ [county],  
State of \_\_\_\_\_, declare that this is my will.

- 1. Revocation.** I revoke all wills that I have previously made.
- 2. Marital Status.** I am \_\_\_\_\_ [married/single/in a registered domestic partnership or union].
- 3. Children.** I have the following natural and legally adopted child(ren):

Name	Date of Birth
_____	_____
_____	_____
_____	_____

*[repeat as needed]*

If I do not leave property to one or more of the children whom I have identified above, my failure to do so is intentional.

- 4. Specific Gifts.** I leave the following specific gifts:

I leave \_\_\_\_\_ to \_\_\_\_\_ or, if \_\_\_\_\_  
[he/she/they] \_\_\_\_\_ [does not/do not] survive me, to \_\_\_\_\_.

I leave \_\_\_\_\_ to \_\_\_\_\_ or, if \_\_\_\_\_  
[he/she/they] \_\_\_\_\_ [does not/do not] survive me, to \_\_\_\_\_.

I leave \_\_\_\_\_ to \_\_\_\_\_ or, if \_\_\_\_\_  
[he/she/they] \_\_\_\_\_ [does not/do not] survive me, to \_\_\_\_\_.

*[repeat as needed]*

- 5. Residuary Estate.** I leave my residuary estate, that is, the rest of my property not otherwise specifically and validly disposed of by this will, including lapsed or failed

gifts, to \_\_\_\_\_ or, if \_\_\_\_\_ [he/she/they] \_\_\_\_\_ [does not/do not] survive me, to \_\_\_\_\_.

**6. Beneficiary Provisions.** The following terms and conditions apply to the beneficiary clauses of this will.

**A. 45-Day Survivorship Period.** As used in this will, the phrase "survive me" means to be alive or in existence as an organization on the 45th day after my death. Any beneficiary, except any alternate residuary beneficiary, must survive me to take property under this will.

**B. Shared Gifts.** If I leave property to be shared by two or more beneficiaries, it shall be shared equally by them unless this will provides otherwise.

If any beneficiary of a shared specific gift left in a single paragraph of the Specific Gifts clause, above, does not survive me, the gift shall be given to the surviving beneficiaries in equal shares.

If any beneficiary of a shared residuary gift does not survive me, the residue shall be given to the surviving residuary beneficiaries in equal shares.

**C. Encumbrances.** All property that I leave by this will shall pass subject to any encumbrances or liens on the property.

**7. Executor.** I name \_\_\_\_\_ as executor, to serve without bond. If \_\_\_\_\_ [he/she] does not qualify or ceases to serve, I name \_\_\_\_\_ as executor, also to serve without bond.

I direct that my executor take all actions legally permissible to probate this will, including filing a petition in the appropriate court for the independent administration of my estate.

I grant to my executor the following powers, to be exercised as the executor deems to be in the best interests of my estate:

A. To retain property, without liability for loss or depreciation resulting from such retention.

B. To sell, lease, or exchange property and to receive or administer the proceeds

as a part of my estate.

- C. To vote stock; convert bonds, notes, stocks, or other securities belonging to my estate into other securities; and to exercise all other rights and privileges of a person owning similar property.
- D. To deal with and settle claims in favor of or against my estate.
- E. To continue, maintain, operate, or participate in any business which is a part of my estate and to incorporate, dissolve, or otherwise change the form of organization of the business.
- F. To pay all debts and taxes that may be assessed against my estate, as provided under state law.
- G. To do all other acts that in the executor's judgment may be necessary or appropriate for the proper and advantageous management, investment, and distribution of my estate.

These powers, authority, and discretion are in addition to the powers, authority, and discretion vested in an executor by operation of law and may be exercised as often as deemed necessary, without approval by any court in any jurisdiction.

- 8. Personal Guardian.** If at my death any of my children are minors and a personal guardian is needed, I nominate \_\_\_\_\_ to be appointed personal guardian of my minor children. If \_\_\_\_\_ [he/she/they] cannot serve as personal guardian, I nominate \_\_\_\_\_ to be appointed personal guardian.

I direct that no bond be required of any personal guardian.

- 9. Property Guardian.** If at my death any of my children are minors and a property guardian is needed, I appoint \_\_\_\_\_ as the property guardian of my minor children. If \_\_\_\_\_ [he/she/they] cannot serve as property guardian, I appoint \_\_\_\_\_ as property guardian.

I direct that no bond be required of any property guardian.

- 10. Gifts Under the Uniform Transfers to Minors Act.** All property left by this will to

\_\_\_\_\_ *[name of minor]* shall be given to  
\_\_\_\_\_ *[name of custodian]* as custodian for  
\_\_\_\_\_ *[name of minor]* under the Uniform Transfers to  
Minors Act of \_\_\_\_\_ *[your state]*. If \_\_\_\_\_  
*[name of custodian]* cannot serve as custodian, \_\_\_\_\_ *[name*  
*of successor custodian]* shall serve as custodian. If \_\_\_\_\_  
*[your state]* allows testators to choose the age at which the custodianship ends, I  
choose the oldest age allowed by my state's Uniform Transfers to Minors Act.  
*[repeat as needed]*

### Signature

I subscribe my name to this will this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_ at \_\_\_\_\_ *[county]*, State of  
\_\_\_\_\_.

I declare that it is my will, that I sign it willingly, that I execute it as my free and  
voluntary act for the purposes expressed, and that I am of the age of majority or  
otherwise legally empowered to make a will and under no constraint or undue influence.

Signature: \_\_\_\_\_

### Witnesses

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the testator,  
\_\_\_\_\_ declared to us, the undersigned, that this instrument was  
\_\_\_\_\_ *[his/her]* will and requested us to act as witnesses to it. The testator signed this  
will in our presence, all of us being present at the same time. We now, at the testator's  
request, in the testator's presence and in the presence of each other, subscribe our names  
as witnesses and each declare that we are of sound mind and of proper age to witness a  
will. We further declare that we understand this to be the testator's will and that to the  
best of our knowledge the testator is of the age of majority, or is otherwise legally  
empowered to make a will, and appears to be of sound mind and under no constraint or

undue influence.

We declare under penalty of perjury that the foregoing is true and correct,  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at  
\_\_\_\_\_ [county], State of  
\_\_\_\_\_.

**Witness 1**

Signature: \_\_\_\_\_

Typed or printed name: \_\_\_\_\_

Residing at: \_\_\_\_\_

City, state, zip: \_\_\_\_\_

**Witness 2**

Signature: \_\_\_\_\_

Typed or printed name: \_\_\_\_\_

Residing at: \_\_\_\_\_

City, state, zip: \_\_\_\_\_