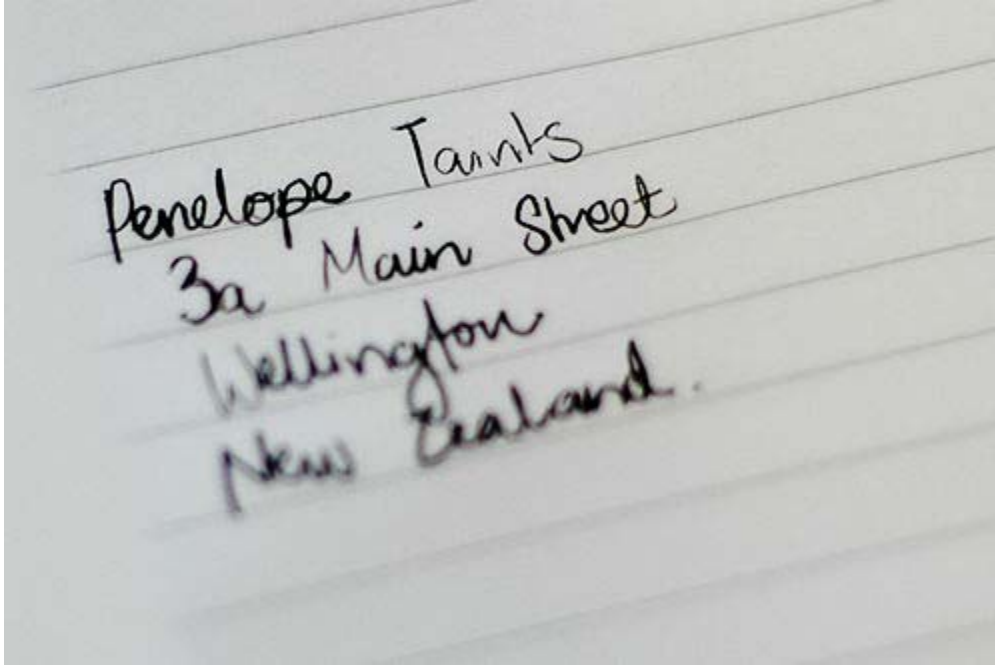


## Last Will and Testament Activity

1. **Identify yourself by name and current address.** There could be other "Penelope Taints", and your then-existing address, if you later move, will help make sure this is actually your will. You might also include your date of birth and social security number.
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### Free Will and Testament

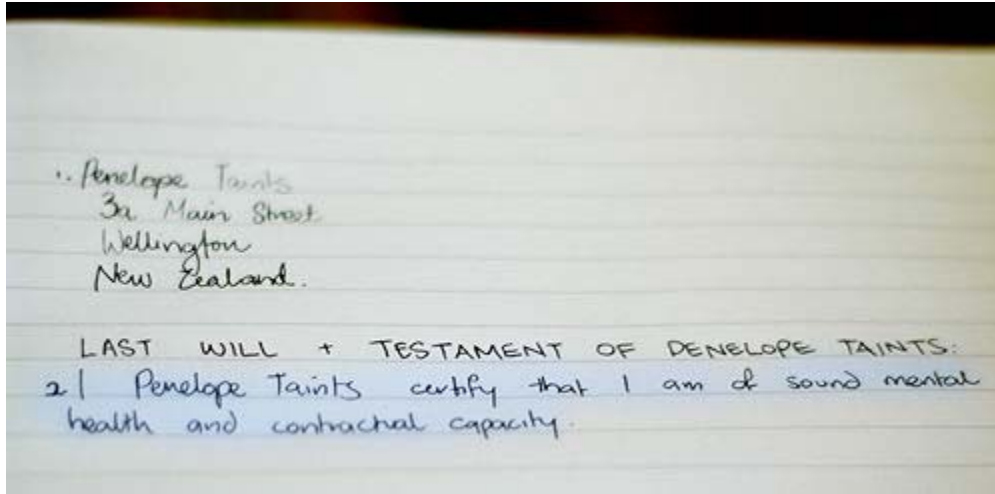
Last Will & Testament. All States. Legally Binding. Immediate Use.  
Wills.RocketLawyer.com

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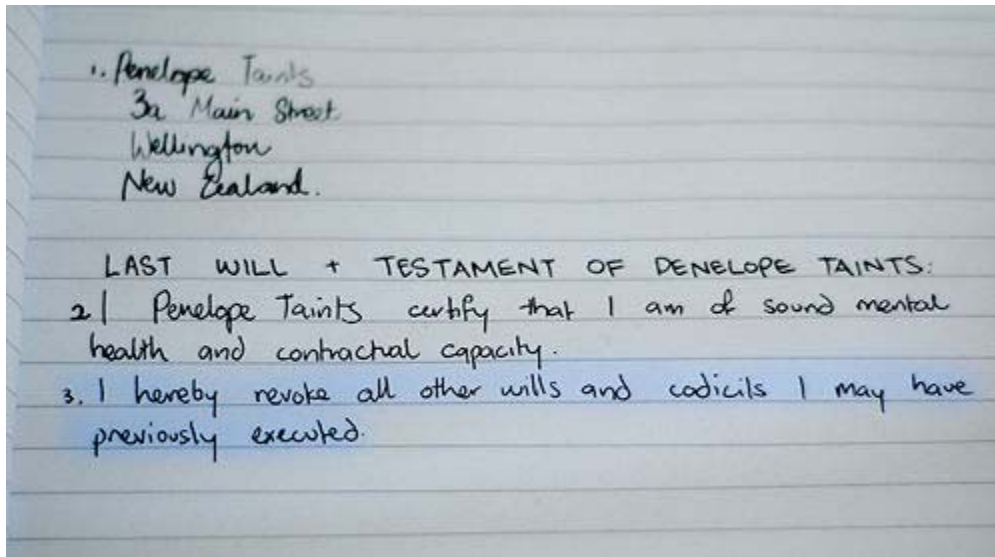
**State clearly that you are of sound mental health and of contractual capacity.** Without this important step, somebody who gets a raw deal in your will, such as your wicked step mother, will be able to shoot down the will in court fairly easily.

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## Last Will and Testament Activity



Make an explicit statement that you are revoking all other wills and codicils you may have executed before.

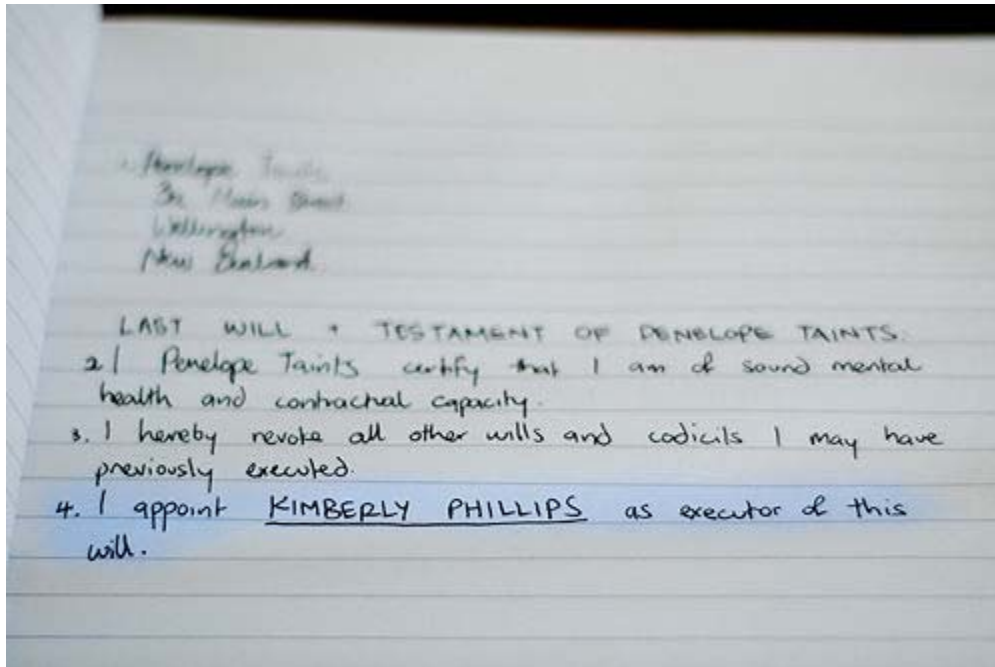


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## Last Will and Testament Activity

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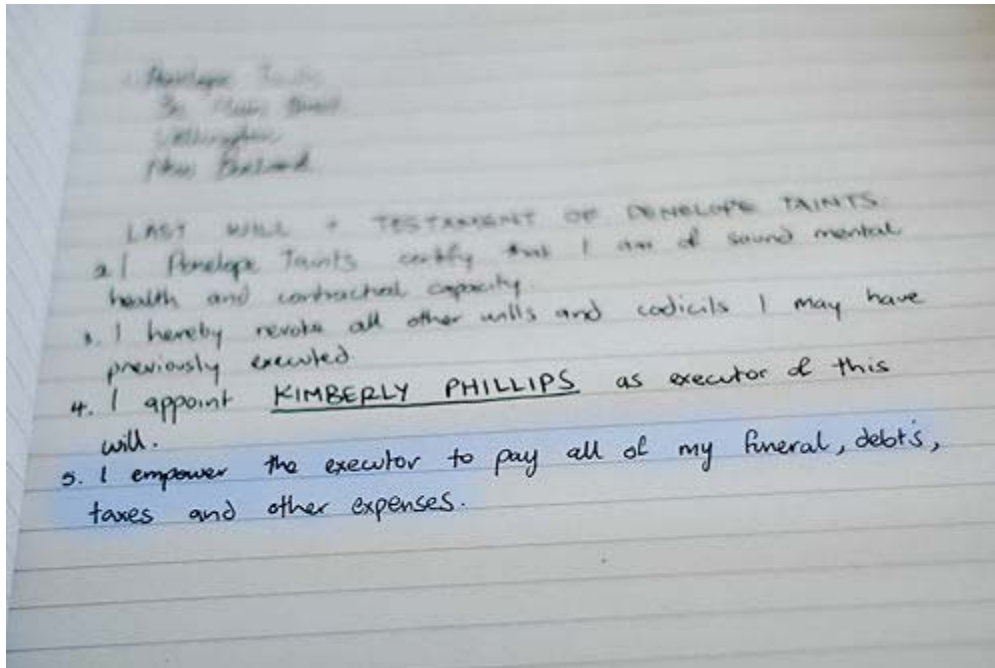
**Appoint an Executor (known in some states as a Personal Representative).** The Executor is the person who carries out your instructions and administers your Estate after your death. Every state has rules over who can serve. In most states, if the person is living in your State and over the age of 18, that will do but you obviously want a person who is honest, thrifty, prudent and resourceful.



**Empower the Executor to pay all of your just debts, funeral expenses, taxes and estate administration expenses.** This allows your heirs to take their shares without later deductions or complications.

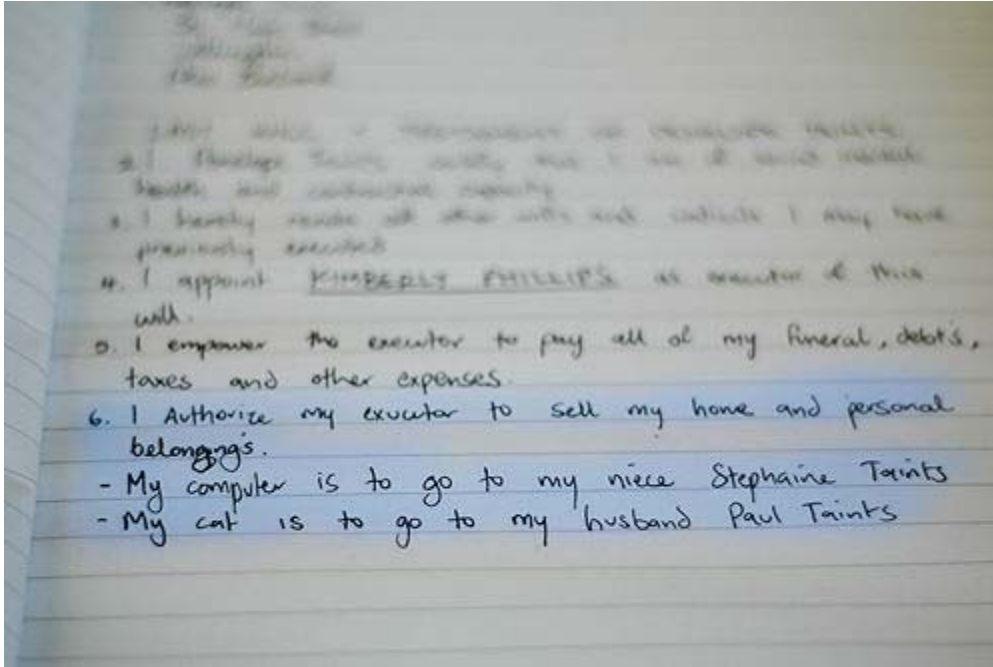
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## Last Will and Testament Activity

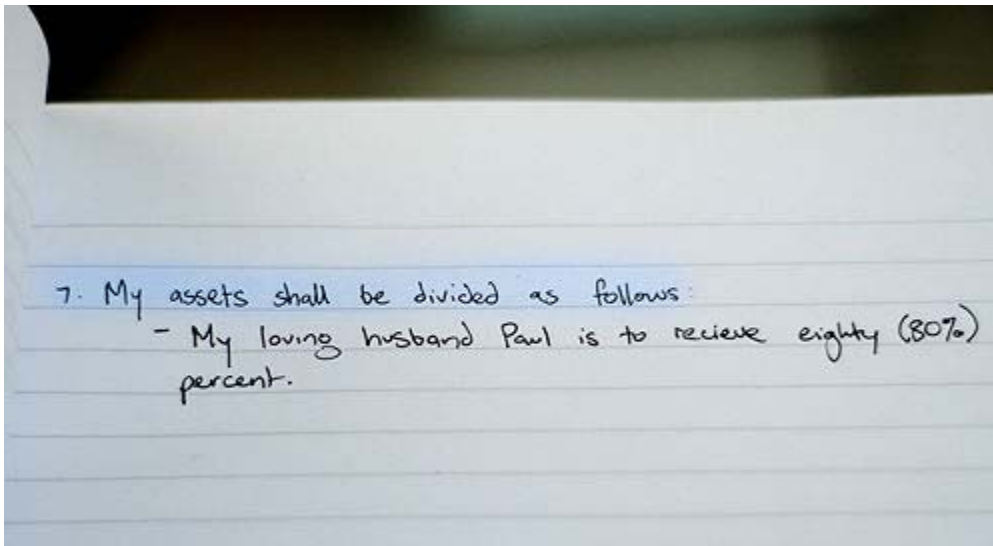


Authorize your Executor to sell any real estate in which you may own an interest at the time of your death and to pledge it, lease it, mortgage it or otherwise deal with your real estate as you yourself could do. Itemize personal items that will be going to specific people.

## Last Will and Testament Activity



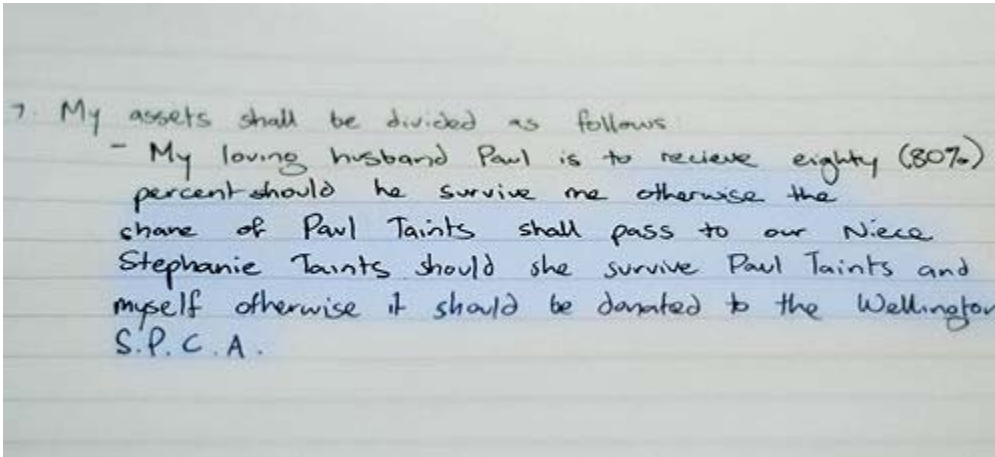
**State that the assets will be divided in the following percentages to the following people.** List the people and the percentages and make sure the percentages add up to 100%. For example, one line might read: "To my wicked step-mother, Barbara Smith, I leave Five (5%) Percent. At this point you could consider taking out life-insurance in order to ensure that your estate provides for the needs of your family, or special costs."



## Last Will and Testament Activity



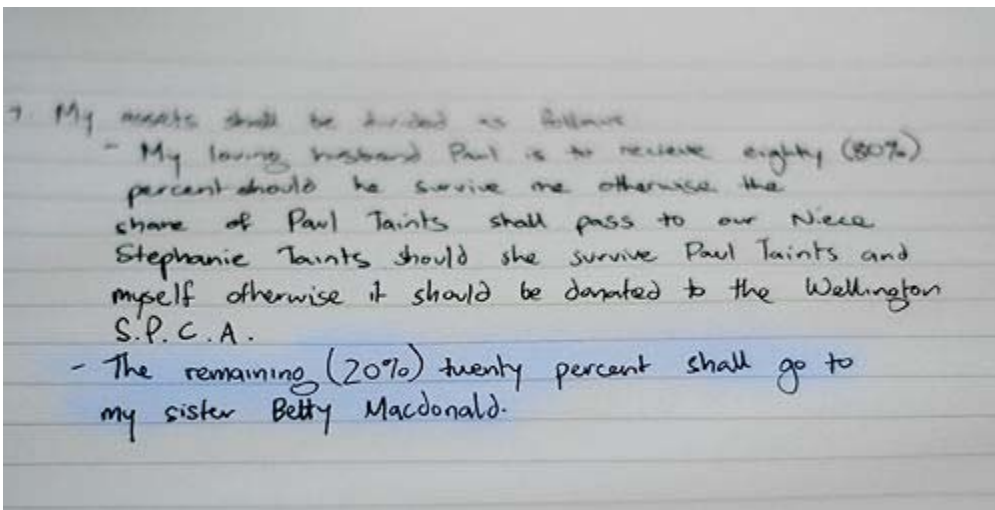
- Include provisions which will clearly explain who gets a beneficiary's gift if that person dies before you. For example, "To my wicked step-mother, Barbara Smith, I leave Five (5%) Percent should she survive me; otherwise the share of Barbara Smith shall pass instead to her lawnman, Chauncey Gardner should he survive Barbara Smith and myself; otherwise this gift shall lapse."



7. My assets shall be divided as follows:  
- My loving husband Paul is to receive eighty (80%) percent should he survive me otherwise the share of Paul Taints shall pass to our Niece Stephanie Taints should she survive Paul Taints and myself otherwise it should be donated to the Wellington S.P.C.A.



- If you want a deceased beneficiary's gift to just go back into the pot and be divided among your living beneficiaries in shares proportionate to what you provided for them, you can use conditional language such as "To my wicked step-mother, Barbara Smith, I leave Five (5%) Percent should she survive me." If you just leave it at that and do not name an alternate to specifically receive Barbara's gift, her gift will "lapse" and go back into the pot.

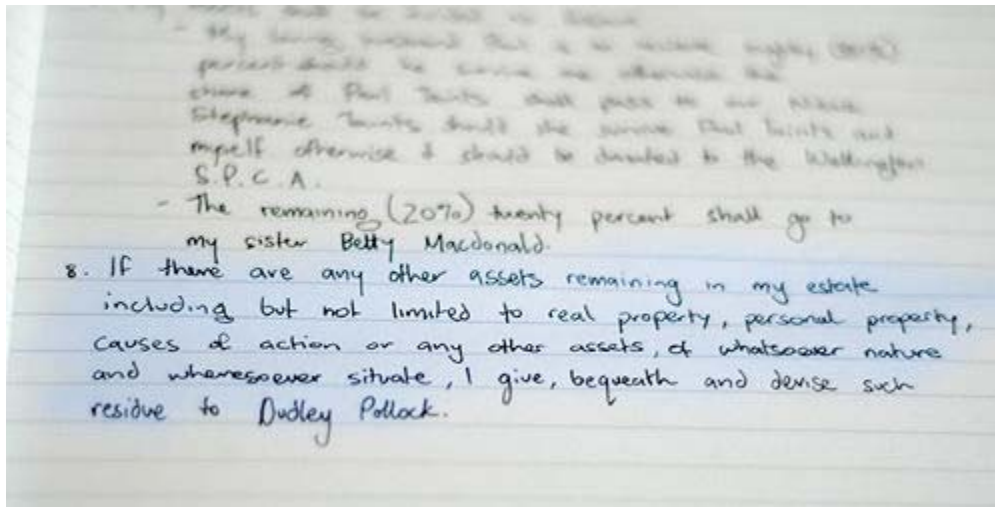


7. My assets shall be divided as follows:  
- My loving husband Paul is to receive eighty (80%) percent should he survive me otherwise the share of Paul Taints shall pass to our Niece Stephanie Taints should she survive Paul Taints and myself otherwise it should be donated to the Wellington S.P.C.A.  
- The remaining (20%) twenty percent shall go to my sister Betty Macdonald.



## Last Will and Testament Activity

**Write in a "residuary clause."** A Residuary clause takes everything that was not already disposed of and gives it to your "residuary beneficiaries." Even after distributing 100%, you can say "If there are any other assets remaining in my estate including but not limited to real property, personal property, causes of action or any other assets, of whatsoever nature and wheresoever situate, I give, bequeath and devise such residue to \_\_\_\_\_." The residuary gift cannot lapse because it will have nowhere to go. You might say, "to Larry, Moe and Curly, in equal shares, per stirpes." "Per stirpes" essentially means that it will go down the bloodline of a deceased beneficiary. Be clear about whether your Executor should be paid and/or reimbursed for expenses. You may set the pay or just leave it as a "reasonable fee such as is ordinarily charged in the community for services of similar complexity and nature."



**Be clear over whether your Executor must post bond.** Some courts will require your Executor to post bond unless you explicitly state that the Executor shall serve without bond. Bond premiums can be expensive and some people do not want their estate drained; others look at bonds as good insurance in case the Executor runs off to Tahiti with the money.

## Last Will and Testament Activity

- The remaining (20%) twenty percent shall go to my sister Betty Macdonald.

8. If there are any other assets remaining in my estate including but not limited to real property, personal property, causes of action or any other assets, of whatsoever nature and wheresoever situate, I give, bequeath and devise such residue to Dudley Pollock.

9. The executor must Post bond.



Name an alternative Executor to take over if your first choice dies, becomes incapacitated or is otherwise unable or unwilling to serve.

- The remaining (20%) twenty percent shall go to my sister Betty Macdonald.

8. If there are any other assets remaining in my estate including but not limited to real property, personal property, causes of action or any other assets, of whatsoever nature and wheresoever situate, I give, bequeath and devise such residue to Dudley Pollock.

9. The executor must Post bond.

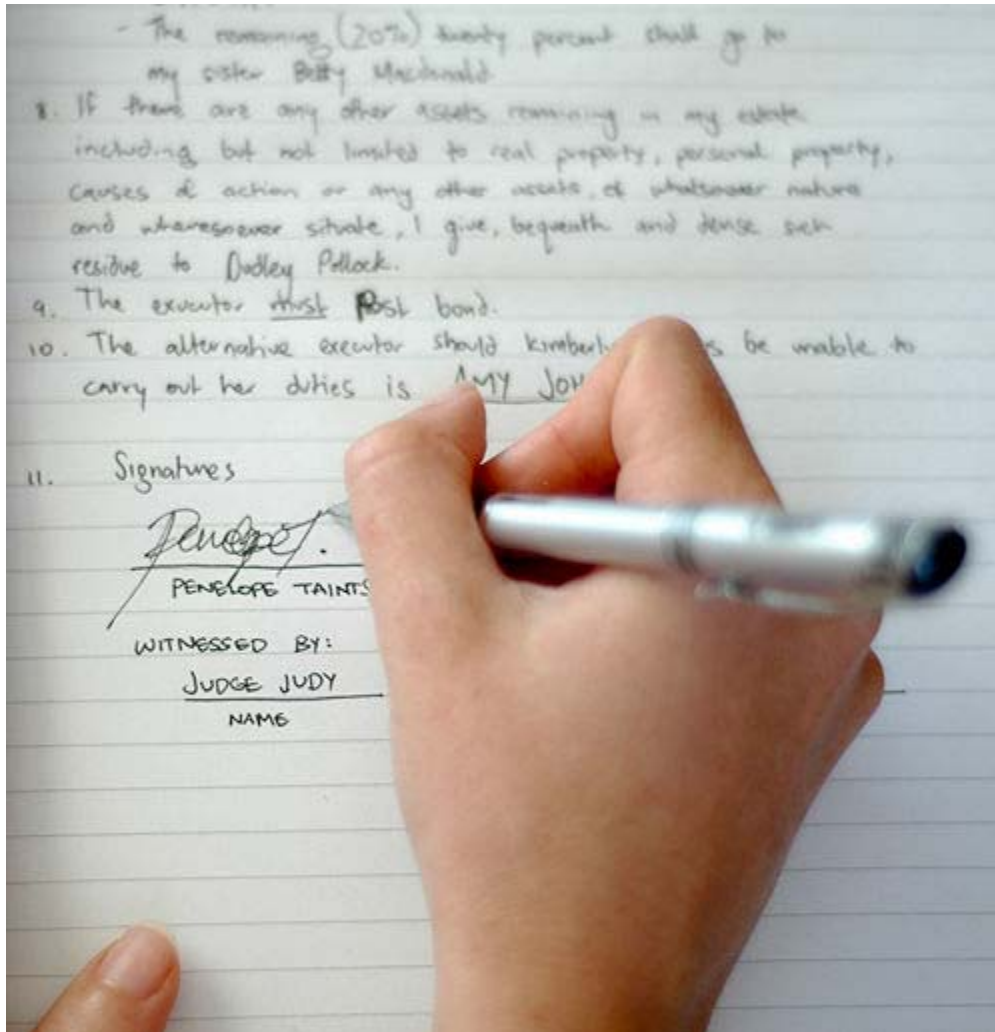
10. The alternative executor should Kimberly Phillips be unable to carry out her duties is AMY JOHNSTONE





## Last Will and Testament Activity

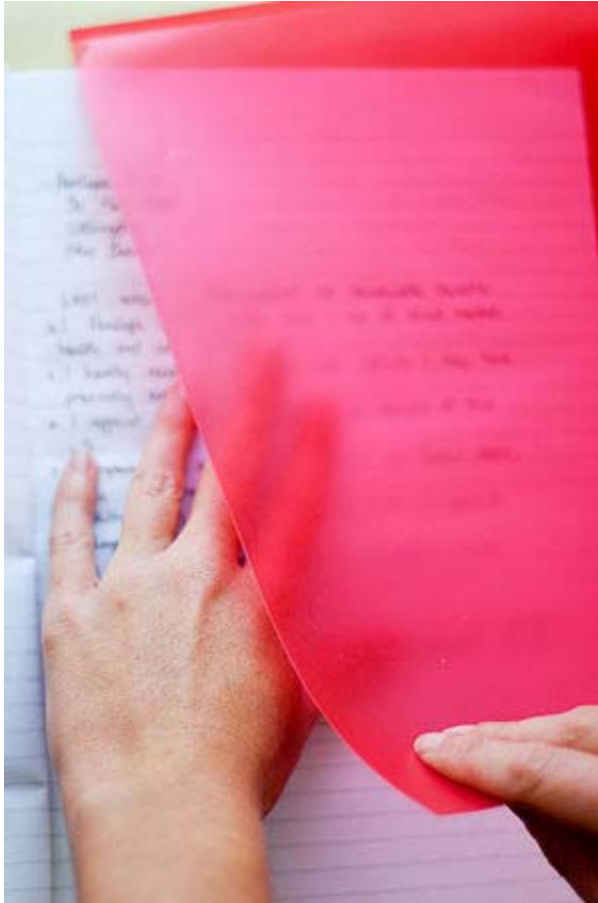
**Make sure you sign correctly.** How you and your witnesses sign the will is a matter of state law and can affect its validity. Check on this but in all states, you will be fine if you sign the will in the presence of three witnesses and a notary public all of whom watch you sign and were present all at the same time and all of whom are unrelated to you and not beneficiaries or other persons with an interest in your Estate. Your signature must come at the end of the will, preferably right after the last line of text. You should also initial each page.



**Store the will safely.** Your will does not get filed with the courts until after your death. Tell only your nominated Executor where you keep it. You may also wish to give the Executor a copy or second original. Do not write on

## Last Will and Testament Activity

your will once it is done. Make any future changes by way of a "codicil," a separate document which explicitly refers to the original will.



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**Seek out an attorney who understands "special needs trusts" and planning for the disabled if you have disabled heirs.** Do not attempt to plan for making payments to a beneficiary over time yourself. This type of payment system will usually require a lawyer.

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