

# LAST WILL AND TESTAMENT OF

\_\_\_\_\_ (under the laws of  
the State of California)

I, \_\_\_\_\_ [Full Legal Name], residing at  
\_\_\_\_\_ [Address], in the County of  
\_\_\_\_\_, State of California, being of legal age and sound  
mind, do hereby declare this to be my LAST WILL AND TESTAMENT, hereby revoking all prior wills and  
codicils previously made by me.

## ARTICLE I — FAMILY

I declare the following family information for purposes of this Will:

Spouse: \_\_\_\_\_ [Name, or "I am not married"]

Children: \_\_\_\_\_ [Names and birthdates, or "I have no  
children"]

I intentionally omit any other person, related to me by blood, marriage, or otherwise, who is not specifically  
mentioned in this Will, with no intent to make a gift to them.

## ARTICLE II — APPOINTMENT OF EXECUTOR

I nominate as the Executor of my estate:

**PRIMARY EXECUTOR:** \_\_\_\_\_ [Name], of  
\_\_\_\_\_ [Address].

**SUCCESSOR EXECUTOR:** \_\_\_\_\_ [Name], of  
\_\_\_\_\_ [Address], if the primary Executor cannot or will not  
serve.

My Executor shall serve WITHOUT bond and shall have all powers granted by applicable state law, including  
the power to sell estate property, settle claims, compromise debts, and distribute in cash or in kind.

## ARTICLE III — GUARDIAN FOR MINOR CHILDREN

If I have minor children at the time of my death, I nominate as Guardian:

**PRIMARY GUARDIAN:** \_\_\_\_\_ [Name]

**SUCCESSOR GUARDIAN:** \_\_\_\_\_ [Name]

My nominated Guardian shall serve without bond.

## ARTICLE IV — DEBTS AND TAXES

I direct my Executor to pay all my just debts, funeral expenses, expenses of administration, and any federal and  
state estate or inheritance taxes, from my residuary estate. No specific bequest shall bear any portion of these  
expenses.

## ARTICLE V — SPECIFIC BEQUESTS

1. I give \_\_\_\_\_ [item or amount] to  
\_\_\_\_\_ [beneficiary name].

2. I give \_\_\_\_\_ [item or amount] to  
\_\_\_\_\_ [beneficiary name].

3. I give \_\_\_\_\_ [item or amount] to  
\_\_\_\_\_ [beneficiary name].

(Add additional specific bequests as needed.)

If any named beneficiary does not survive me by thirty (30) days, that bequest shall lapse and become part of my residuary estate.

## **ARTICLE VI — RESIDUARY ESTATE**

I give all the rest, residue, and remainder of my estate, of every kind and description, wherever located, to  
\_\_\_\_\_ [primary residuary beneficiary or "to my spouse,  
\_\_\_\_\_"], if they survive me by thirty (30) days.

If the primary residuary beneficiary does not survive me, my residuary estate shall pass to:

\_\_\_\_\_ [contingent residuary beneficiary, e.g., "my children, in  
equal shares, per stirpes"].

## **ARTICLE VII — POWERS OF EXECUTOR**

In addition to all powers granted by statute, my Executor shall have the power to: (a) retain, sell, exchange, lease, or otherwise dispose of any estate property; (b) invest and reinvest estate assets; (c) employ attorneys, accountants, and other professionals and pay their reasonable fees; (d) compromise, settle, or adjust any claim by or against the estate; (e) distribute the estate in cash or in kind; (f) continue any business in which I have an interest until prudent disposition.

## **ARTICLE VIII — NO-CONTEST CLAUSE**

If any beneficiary contests this Will or any provision hereof, the share or interest given to that beneficiary under this Will shall be revoked and shall pass as if that beneficiary had predeceased me without descendants.

## **ARTICLE IX — SEVERABILITY**

If any provision of this Will is determined to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

## **ARTICLE X — GOVERNING LAW**

This Will shall be governed by the laws of the State of California.

**IN WITNESS WHEREOF**, I have signed this Last Will and Testament on \_\_\_\_\_ [Date], at  
\_\_\_\_\_ [City, California].

**TESTATOR SIGNATURE:**

\_\_\_\_\_

Printed Name: \_\_\_\_\_

## **ATTESTATION OF WITNESSES**

On the date written above, the Testator declared to us that the foregoing instrument is the Testator's Last Will and Testament, and requested us to act as witnesses thereto. The Testator signed the Will in our joint

presence, and we, in the Testator's presence and in the presence of each other, have signed our names below as witnesses, believing the Testator to be of legal age, of sound mind, and under no constraint or undue influence.

Witness 1 Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Witness 2 Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

**SELF-PROVING AFFIDAVIT**

State of California, County of \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_ [Testator],

\_\_\_\_\_ [Witness 1], and

\_\_\_\_\_ [Witness 2], known to me to be the Testator and

witnesses, respectively, who, being by me duly sworn, declared: that the Testator signed and executed the instrument as the Testator's Last Will, and was at the time of signing 18 years of age or older, of sound mind, and under no constraint or undue influence; and that each witness signed in the presence of the Testator and of each other.

Testator: \_\_\_\_\_ Witness 1: \_\_\_\_\_

Witness 2: \_\_\_\_\_

Subscribed and sworn before me on \_\_\_\_\_ [Date].

Notary Public: \_\_\_\_\_ My commission expires: \_\_\_\_\_

*DISCLAIMER: This template is provided for informational purposes only and does not constitute legal advice. Wills are highly state-specific and execution formalities are strict. For estates with substantial assets, blended families, special-needs beneficiaries, or business interests, consult a licensed California estate planning attorney.*