

LAST WILL AND TESTAMENT - **NAME**

STATE OF GEORGIA
COUNTY OF **COUNTY**

I, **NAME**, a domiciliary of **COUNTY** County, Georgia, being of sound mind, hereby make, publish and declare this my Last Will and Testament, revoking all wills and codicils made by me.

ITEM I

I am (**insert "not" if Legally Married is checked not**) married and have (**insert "no" if Do you have Children (natural or adopted) is checked no**) children. (**insert the following line, if Legally Married is checked yes**) My spouse's name is **Spouse's Name**. (**insert the following line, if Do you have Children (natural or adopted) is checked yes**) My children's names are **Legal Children Names (Natural and Adopted)**.

This Will is made in contemplation of the future birth of children to me or adoption of children by me and shall not be revoked by such event.

ITEM II

I direct my Executor, as soon as feasible, to pay out of the residue of my estate all of my debts, including charitable pledges, whether or not enforceable; the expenses of my last illness, funeral and burial; any debts and claims duly allowed against my estate; the expenses of administration of my estate; and any taxes assessed or imposed with respect to my estate or any part thereof, whether or not passing under this Will.

ITEM III

I give all of my real property, subject to any liens or encumbrances, tangible property, personal property, including any furniture, furnishings, jewelry, personal effects, objects of art, silverware, personal effects and automobiles owned by me at my death, and all insurance thereon, free and clear of any liens and encumbrances to: **Property Distribution (if Spouse Everything checked, insert "my spouse, Spouse's Name,"; if Children - Everything in equal shares checked, insert "my children, in equal shares, per stirpes"; if Other (leave specific property to specific people) checked, insert Property Distribution to Specific People**, if they survive me.

If my first choice of heirs described above do not survive me, I give all my real property and tangible personal property to:

Property Distribution - SECOND CHOICE IF FIRST CHOICE DIES BEFORE YOU) (if Spouse Everything checked, insert "my spouse, Spouse's Name,"; if Children - Everything in equal shares checked, insert "my children, in equal shares, per stirpes"; if Other (leave specific property to specific people) checked, insert Property Distribution to Specific People - SECOND CHOICE IF FIRST CHOICE DIES BEFORE YOU), if they survive me.

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If none of my heirs described above survive me, my Executor shall distribute my property to **Remainder of Property**.

If neither a spouse nor any children survive me, all property passing under this Item shall be distributed to those persons who, under the laws of descent and distribution of the State of Georgia in effect at my death, would have been entitled to inherit from me if I had died intestate and without children.

ITEM IV

I give the rest, residue and remainder of my property to:

Property Distribution (if Spouse Everything checked, insert "my spouse, Spouse's Name,"; if Children - Everything in equal shares checked, insert "my children, in equal shares, per stirpes"; if Other (leave specific property to specific people) checked, insert Property Distribution to Specific People, if they survive me.

If my first choice of heirs described above do not survive me, I give the rest, residue, and remainder of my property to:

Property Distribution - SECOND CHOICE IF FIRST CHOICE DIES BEFORE YOU) (if Spouse Everything checked, insert "my spouse, Spouse's Name,"; if Children - Everything in equal shares checked, insert "my children, in equal shares, per stirpes"; if Other (leave specific property to specific people) checked, insert Property Distribution to Specific People - SECOND CHOICE IF FIRST CHOICE DIES BEFORE YOU), if they survive me.

If none of my heirs described above survive me, my Executor shall distribute my property to **Remainder of Property**.

If neither a spouse nor any children survive me, all property passing under this Item shall be distributed to those persons who, under the laws of descent and distribution of the State of Georgia in effect at my death, would have been entitled to inherit from me if I had died intestate and without children.

ITEM V

- A. I constitute and appoint **Executor - First Choice** as Executor of this will, and should they predecease me, decline to act, or for any reason cease to act after qualification, I constitute and appoint the following person(s) and/or institution as my Executor in the order in which they appear:
- 1. Executor - Second Choice;** then
 - 2. Executor - if first and second choice are unable or unwilling to be executor.**
- B. I relieve my Executor from giving bond, making an inventory or appraisal of my estate, and from making returns of their acts and doings to any court of beneficiary. In the administration of my estate, my Executor shall have the authority, without order or report to any court, to exercise

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all the power set forth in O.C.G.A 53-12-261, which Code section is hereby incorporated into this instrument by reference.

- C. All successor Executors shall have all the powers, authorities and duties granted herein as if originally named Executor, and no successor Executor shall be required to inquire into or audit the acts or actions of the predecessor Executor or to make any claim against such predecessor Executor.

ITEM VI

- A. My spouse shall be the Guardian of my children. If my spouse does not survive me, I appoint the following as Guardian of my children during their minority, in the order stated: **Guardian of Children (Click the + button to add more people)**
- B. I appoint my spouse, if my spouse survives me, as conservator for any property that passes outright from my estate to any of my minor child. If my spouse does not survive me, I appoint the following as Conservator of my estate that passes to my children during their minority, in the order stated: **Conservator of Children (Click the + button to add more people)**
- C. No guardian or conservator appointed herein shall be required to file any bond, inventory or report unless the same is mandatory in spite of this waiver, and if any bond is so required, but a surety is not mandatory, no surety shall be required.

ITEM VII

- A. References in this Will to "child" or "children" mean lawful blood descendants in the first degree of the parent designated; and references herein to "issue" or "descendants" mean lawful blood descendants in the first, second or any other degree of the ancestor designated; provided always, however, that an adopted child and such adopted child's issue, whether natural or adopted, shall be considered in this Will as lawful blood descendants of the adopting parent or parents of anyone who is by blood or adoption an ancestor of the adopting parent or of either of the adopting parents. The terms "child" or "children" shall include any child born out of wedlock.
- B. A child in gestation at the time of an event who is later born alive shall be deemed to be "living" or "surviving" at the time of such event.

IN WITNESS WHEREOF, I hereunto set my name and affix my seal to this my LAST WILL AND TESTAMENT this _____ day of _____, _____.

Name
Address

ATTESTATION CLAUSE

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The above and foregoing instrument was on the day and year above set forth and in the presence of each of us, the undersigned witness, acknowledged by **Name** as their LAST WILL AND TESTAMENT, and said instrument was on said date and in our presence voluntarily signed and acknowledged by **Name**, who appeared at that time to be of sound mind, and we, the undersigned in the presence of **Name** and at their request, and in the presence of each other, have hereunto subscribed our names as witnesses this _____ day of _____, _____.

First Witness

Name of Witness:	
Witness Address:	
Witness's Phone:	
Witness Email:	

Second Witness

Name of Witness:	
Witness Address:	
Witness's Phone:	
Witness Email:	