**LAST WILL AND TESTAMENT**

**OF**

**JANE ELIZABETH SMITH**

**ARTICLE I - DECLARATION**

I, Jane Elizabeth Smith, a resident of the State of California, being of sound mind and memory, and not acting under duress, menace, fraud, or undue influence, do hereby make, publish, and declare this to be my Last Will and Testament, revoking all prior wills and codicils made by me.

I am married to Robert James Smith.

I have the following children:
Emily Rose Smith, born June 12, 2010
Thomas William Smith, born September 8, 2012

**ARTICLE II - DEBTS AND EXPENSES**

I direct that all my legally enforceable debts, funeral expenses, expenses of last illness and administration of my estate be paid as soon as practicable after my death.

**ARTICLE III - RESIDUARY ESTATE**

I give, devise, and bequeath all my property, both real and personal, of every kind and nature, and wherever situated, which I may own at the time of my death (my "residuary estate"), to the following beneficiaries in the proportions specified:

To Robert James Smith, spouse, 60% of my estate.

To Emily Rose Smith and Thomas William Smith, children, 40% of my estate.

If any beneficiary named above does not survive me by the California default 120 hours (5 days), that beneficiary's share shall be distributed equally among the surviving beneficiaries named above.

**ARTICLE IV - SPECIFIC BEQUESTS**

I give my real property located at 123 Main Street, Los Angeles, CA 90210 to Emily Rose Smith, subject to any encumbrances or liens existing at the time of my death.

I give my real property located at 456 Beach Drive, Malibu, CA 90265 to Thomas William Smith, subject to any encumbrances or liens existing at the time of my death.

I give my grandmother's diamond ring to Emily Rose Smith. If Emily Rose Smith does not survive me, this bequest shall go to Thomas William Smith. If any beneficiary named in this section predeceases me, the gift to that beneficiary shall lapse and become part of my residuary estate unless otherwise specified.

I give my collection of first-edition books to Los Angeles Public Library. If Los Angeles Public Library does not survive me, this bequest shall go to Thomas William Smith. If any beneficiary named in this section predeceases me, the gift to that beneficiary shall lapse and become part of my residuary estate unless otherwise specified.

I give the sum of $10,000 to American Red Cross. If American Red Cross does not survive me, this bequest shall go to Robert James Smith. If any beneficiary named in this section predeceases me, the gift to that beneficiary shall lapse and become part of my residuary estate unless otherwise specified.

**ARTICLE V - DIGITAL ASSETS**

I hereby nominate and appoint Robert James Smith as my Digital Executor to manage my digital assets. If Robert James Smith is unable or unwilling to serve, I nominate Sarah Michelle Johnson as my successor Digital Executor.

"Digital Assets" include, without limitation, emails, social media, cloud, server, domain names, electronic files, and cryptocurrencies, regardless of their storage medium or location. I direct that the following Digital Assets to be handled as follows:

The Digital Executor is authorized to access, manage, control, transfer, or close Digital Assets to the extent permitted by law and provider terms. The Executor may request usernames, passwords, and decryption keys and may seek court orders, if necessary, under the Revised Uniform Fiduciary Access to Digital Assets Act (Cal. Prob. Code §§870–884). This grant does not require the Executor to violate applicable Terms of Service or criminal law; where access requires additional legal process, the Digital Executor may seek court authority. For cryptocurrency or private keys, the Testator expressly authorizes transfer of private keys and cryptocurrency to the Digital Executor.

DIGITAL ASSETS TO BE CLOSED OR MAINTAINED:

jane.smith@gmail.com, Gmail, should be closed
jane.smith@yahoo.com, Yahoo Mail, should be maintained

Jane Smith Facebook, Meta, Instagram, should be closed
@janesmith, X (Twitter), should be maintained

Jane Smith YouTube, YouTube, should be maintained
Jane Smith Amazon, Amazon, should be closed

DIGITAL ASSETS TO BE TRANSFERRED TO A SPECIFIC BENEFICIARY:

Jane Main Wallet, MetaMask, shall be transferred to Robert James Smith
Jane Savings Wallet, Trust Wallet, shall be transferred to Emily Rose Smith

Jane Coinbase Account, Coinbase, shall be transferred to Robert James Smith
Jane Binance Account, Binance, shall be transferred to Thomas William Smith

**ARTICLE VI - FUNERAL AND BURIAL INSTRUCTIONS**

I direct that my remains be Cremated at Forest Lawn Memorial Park, Los Angeles, CA. A funeral or memorial service shall be held as per my written or verbal instructions provided to my Executor. I nominate Robert James Smith as the individual responsible for arranging my funeral and burial services. If Robert James Smith is unable or unwilling to serve, I nominate Sarah Michelle Johnson as a substitute.

**ARTICLE VII - EXECUTOR**

I hereby nominate and appoint Robert James Smith as the Executor of this Will. If Robert James Smith is unable or unwilling to serve, I nominate Sarah Michelle Johnson as Successor Executor.

I grant to my Executor full power and authority to sell, transfer, and convey any and all property, real or personal, at public or private sale, with or without notice, and to execute and deliver any and all deeds, assignments, and other instruments necessary to carry out the provisions of this Will.

I direct that no bond be required of any Executor named herein to post bond for the faithful performance of their duties.

**ARTICLE VIII - GUARDIANSHIP**

If I have any minor children at the time of my death, I nominate Sarah Michelle Johnson to serve as Guardian of the person and estate of my minor children. If Sarah Michelle Johnson is unable or unwilling to serve, I nominate Michael David Smith as Successor Guardian.

I direct that no bond be required of any Guardian named herein to post bond for the faithful performance of their duties.

**ARTICLE IX - MISCELLANEOUS PROVISIONS**

No Contest: If any person contests or attempts to invalidate any provision of this Will without probable cause, such person shall forfeit any interest in my estate.

Simultaneous Death: If any beneficiary and I die under circumstances where the order of death cannot be determined, it shall be presumed that I survived the beneficiary.

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

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

**ARTICLE X - ATTESTATION**

I declare that this document is my Last Will and Testament. I sign it knowingly and voluntarily, in the presence of the witnesses below.

Executed on March 15, 2024, at Los Angeles, California.

Signature of Testator: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name of Testator: Jane Elizabeth Smith

**WITNESSES' ATTESTATION**

We, the undersigned, declare:

The Testator signed this Will in our presence.

We signed as witnesses in the presence of the Testator and each other.

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

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

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

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

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

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

**NOTARIZATION**

State of California

Los Angeles of the US

On this March 15, 2024, before me personally appeared Jane Elizabeth Smith, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Maria Elena Rodriguez

1234 Notary Street, Los Angeles, CA 90210

**SAMPLE - FOR DEMONSTRATION PURPOSES ONLY**