**LAST WILL AND TESTAMENT**   
**OF**   
**[FULL LEGAL NAME OF TESTATOR]**  
  
  
  
**ARTICLE I: INTRODUCTORY PROVISIONS**

1. **Declaration**

I, **[Full Legal Name of Testator]**, 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.

1. **Marital Status**

I am currently [married/single/divorced/widowed]. My spouse’s name is **[Spouse’s Full Legal Name]**. [If applicable: I was previously married to **[Name of Former Spouse]**, and that marriage was terminated by [divorce/death].]

1. **Children**

I have the following children:

* **[Full Name of Child 1]**, born on **[Date of Birth]**.
* **[Full Name of Child 2]**, born on **[Date of Birth]**.

[Optional: I have no deceased children. If I have any additional children born or adopted after the execution of this Will, they shall be treated as my children for all purposes under this Will.]

1. **Definitions**

For purposes of this Will, the terms “child,” “children,” and “issue” shall include all lawful descendants of mine, whether born or adopted, unless otherwise specified.  
  
  
**ARTICLE II: SPECIFIC GIFTS**

1. **Specific Bequests of Tangible Personal Property**

I give the following specific items of tangible personal property to the individuals named below:

* **[Description of Property, e.g., my 14-karat gold wedding ring]** to **[Full Name of Beneficiary]**.
* **[Description of Property, e.g., my antique piano]** to **[Full Name of Beneficiary]**.

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.

1. **Gifts of Real Property**

I give my real property located at **[Address or Legal Description of Property]** to **[Full Name of Beneficiary]**, subject to any encumbrances or liens existing at the time of my death.

1. **Contingent Gifts**

If any specific gift fails for any reason, such gift shall pass to **[Alternate Beneficiary Name]**, or if no alternate is named, it shall become part of my residuary estate.  
  
  
  
**ARTICLE III: RESIDUARY ESTATE**

1. **Disposition of Residuary Estate**

I give all the rest, residue, and remainder of my estate, including any property not effectively disposed of by the preceding provisions of this Will, to **[Full Name of Residuary Beneficiary]**, if they survive me.

1. **Alternate Disposition**

If **[Full Name of Residuary Beneficiary]** does not survive me, I give my residuary estate to **[Alternate Beneficiary Name]**. If no alternate beneficiary survives me, my residuary estate shall be distributed to my heirs at law as determined under the laws of the State of California.  
  
  
  
**ARTICLE IV: EXECUTOR**

1. **Nomination of Executor**

I nominate **[Full Name of Executor]** to serve as Executor of this Will. If **[Full Name of Executor]** is unable or unwilling to serve, I nominate **[Full Name of Successor Executor]** as Successor Executor.

1. **Powers of Executor**

My Executor shall have all powers granted by California law, including but not limited to the powers enumerated in California Probate Code §§ 9600–9653, as amended, to administer my estate, pay debts, and distribute assets in accordance with this Will.

1. **Bond**

My Executor shall [not be required/be required] to post bond for the faithful performance of their duties.  
  
  
  
**ARTICLE V: GUARDIANSHIP**

1. **Nomination of Guardian for Minor Children**

If at the time of my death I have any minor children, I nominate **[Full Name of Guardian]** to serve as Guardian of the person and estate of my minor children. If **[Full Name of Guardian]** is unable or unwilling to serve, I nominate **[Full Name of Successor Guardian]** as Successor Guardian.

1. **Bond for Guardian**

The Guardian of my minor children shall [not be required/be required] to post bond.  
  
  
  
**ARTICLE VI: TAXES AND EXPENSES**

1. **Payment of Debts and Taxes**

I direct that all my legally enforceable debts, funeral expenses, and expenses of last illness be paid as soon as practicable after my death. I further direct that all estate, inheritance, and other death taxes payable by reason of my death shall be paid out of my residuary estate.  
  
  
  
**ARTICLE VII: NO-CONTEST CLAUSE**

1. **No-Contest Clause**

If any beneficiary under this Will, or any person acting on their behalf, directly or indirectly contests or attacks this Will or any of its provisions, any share or interest in my estate given to that beneficiary under this Will shall be forfeited, and such share or interest shall pass as if that beneficiary had predeceased me.  
  
  
  
**ARTICLE VIII: MISCELLANEOUS PROVISIONS**

1. **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.

1. **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.

1. **Governing Law**

This Will shall be governed by the laws of the State of California.  
  
  
  
**ARTICLE IX: EXECUTION AND ATTESTATION**  
  
I, **[Full Legal Name of Testator]**, declare under penalty of perjury under the laws of the State of California that this instrument is my Last Will and Testament, that I am of legal age to make this Will, and that I am signing it voluntarily.  
  
**Executed on [Date], at [City], California.**  
  
**[Signature of Testator]**   
**[Printed Name of Testator]**  
  
  
  
**WITNESS ATTESTATION**  
  
We, the undersigned, declare under penalty of perjury under the laws of the State of California that the foregoing instrument was signed by **[Full Legal Name of Testator]** in our presence, that the Testator declared it to be their Last Will and Testament, and that we, at the Testator’s request and in the Testator’s presence and in the presence of each other, have signed our names as witnesses.  
  
**Witness 1:**   
**[Signature]**   
**[Printed Name]**   
**[Address]**  
  
**Witness 2:**   
**[Signature]**   
**[Printed Name]**   
**[Address]**