

**LAST WILL AND TESTAMENT  
OF**

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I \_\_\_\_\_ (hereinafter referred to as "Testator", a resident of Ocala, Marion County Florida, declare the following to be my Last Will and Testament, and I revoke all wills and codicils previously made by me. My social security number is \_\_\_\_\_.

**ARTICLE I  
Burial Instructions**

I desire to be cremated and my ashes be given to my \_\_\_\_\_, who will then \_\_\_\_\_. I desire a memorial service to be conducted according to the instructions of my husband.

**ARTICLE II  
Identification of Family Members**

I have \_\_\_\_\_ children, \_\_\_\_\_. All references to this Will to my "children" are to these named children.

**ARTICLE III  
Debts and Expenses**

I direct my Personal Representative to pay all of my enforceable debts, funeral expenses (including the cost of my cremation), the expenses of my last illness, and the cost of administration, including ancillary administration of my estate, as soon as may be convenient, at the sole discretion of my Personal Representative. However, my Personal Representative shall not be required to pay any obligation secured by property specifically devised under this Will or secured by property passing outside of this Will.

If any interest in property passing under this Will or otherwise by reason of my death shall be encumbered by a mortgage or lien or shall be pledged to secure any obligation (whether such interest in property is owned by me individually or jointly), the devisee, degatee, joint owner, or beneficiary shall take such interest in property subject to all encumbrances existing at the time of my death and shall be entitled to payment of such obligation from my estate.

**ARTICLE IV**

**Disposition of Tangible Personal Property**

I give all of the items of tangible personal property that are designated in the most recently dated separate writing in existence at my death, which is signed by me and describes the items given with reasonable certainty, to the persons specified in the writing. It is to be conclusively presumed that I have left no separate writing if one has not been found by or delivered to my Personal Representative within sixty days after this Will is admitted to probate. To the extent that property is not effectively disposed of by a separate wiring, or if one has not been produced within sixty days, I devise all such items of tangible personal property to my \_\_\_\_\_. All reasonable costs of safekeeping, insuring, and shipping my tangible personal property shall be deemed to be a general estate administration expense.

**ARTICLE V**

**Disposition of Intangible Property**

Any checking, savings, investment, or securities accounts I may own at the time of my death are to be liquidated and distributed to my \_\_\_\_\_. If my husband fails to survive me, I devise these items to \_\_\_\_\_.

**ARTICLE VI**

**Disposition of Realty**

I give all of my ownership interest in the land and house located \_\_\_\_\_ to \_\_\_\_\_ subject to any mortgage debt thereon. If \_\_\_\_\_ fails to survive me, all of my ownership interest in said land and house is to be given to \_\_\_\_\_, subject to the burden of the mortgage debt.

**ARTICLE VII**

**Disposition of Residue**

All the residue of my estate shall be given to \_\_\_\_\_. If \_\_\_\_\_ fails to survive me then all the residue of my estate shall be given to \_\_\_\_\_.

**ARTICLE VIII**

**Appointment of Personal Representative**

I appoint \_\_\_\_\_, as my Personal Representative. If this Personal Representative predeceases me or fails or ceases to serve, I appoint \_\_\_\_\_ as my successor Personal Representative.

I direct that no bond or other security shall be required of any of the above parties serving as my Personal Representative in any jurisdiction.

## **ARTICLE IX**

### **Administrative Expenses**

I direct that all estate, inheritance, or other death taxes (including interest and penalties, if any) payable under the laws of any jurisdiction by reason of my death, whether or not the property generating such taxes passes under this Will or any Codicil, shall be paid out of my residuary estate, without contribution, reimbursement, or apportionment.

## **ARTICLE X**

### **Powers of Personal Representative**

I hereby grant to my Personal Representative, referred to in this Article as “my fiduciary” with respect to my estate, in addition to those powers conferred by law, the following powers to be exercised without authority from any court in my Personal Representative’s sole discretion, to deal with any and all property, real or personal, forming a part of my estate, including property held for minors, and whether constituting income or principal: (a) to invest, reinvest, and retain or abandon assets as long as such action shall seem prudent, without restriction to investments authorized by law; (b) to sell, convey, grant options on, exchange, mortgage, lease, or otherwise dispose of all or any part of my property, real or personal (except as otherwise directed in Articles IV and VI), at public or private sale, for such prices and upon such terms (including credit) and in such manner as my Personal Representative deems advisable, including authority and power to make such sale or disposition to any beneficiary under this Will; (c) to receive the proceeds, rents, issues, incomes, and profits therefrom; (d) to borrow money from themselves or others; (e) to employ and compensate custodians, accountants, attorneys, and other agents; (f) to register securities or other property, real or personal, in nominee or bearer form; (g) to liquidate or compromise any and all claims due to or by my estate; (h) to make distributions of such property in case or kind or partly in each, in divided or undivided interests; (i) to exercise federal tax elections under the Internal Revenue Code, with or without making compensation among beneficiaries; (j) to retain and manage any business; (k) to pay Personal Representative’s commissions and attorneys’ fees on account; and (l) to execute and deliver any necessary instruments and give full receipts and discharges.

## **ARTICLE XI**

### **Personal Representative Exonerated**

My Personal Representative shall be responsible only for due diligence in the administration and disbursement of my estate and shall not be responsible for

any loss or subject to any liability except by reason of my Personal Representative's own negligence or willful default proved by affirmative evidence, and every election, determination, or other exercise by my Personal Representative of any discretion granted, expressly or by implication under this Will or by law, made in good faith, shall fully protect my Personal Representative and shall be conclusive and binding upon all persons interested in this Will.

IN WITNESS WHEREOF, I have signed this instrument as my LAST WILL AND TESTAMENT, on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, in the presence of the individuals witnessing at my request.

\_\_\_\_\_  
\_\_\_\_\_, Testator

We certify that the above instrument was signed, published, and declared by \_\_\_\_\_ as his LAST WILL AND TESTAMENT in our joint presence, at his request we have signed our names as attesting witnesses in his presence and in the presence of each other on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSES:

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

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

STATE OF FLORIDA  
COUNTY OF MARION

I, \_\_\_\_\_, declare to the office taking my acknowledgement of this instrument, and to the subscribing witnesses, that I signed this instrument as my Will.

\_\_\_\_\_  
\_\_\_\_\_, Testator

We, \_\_\_\_\_ and \_\_\_\_\_, have been sworn by the officer signing below, and declare to that officer on our oaths that the Testator declared the instrument to be the Testator's Will and signed it in our presence and that we each signed the instrument as witness in the presence of the Testator and of each other.

\_\_\_\_\_  
WITNESS:

\_\_\_\_\_  
WITNESS:

Acknowledged and subscribed before me by the Testator, \_\_\_\_\_ who is personally known to me or who has produced a state pictured ID as identification, and sworn to and subscribed before me by the witnesses, \_\_\_\_\_, who is personally known to me or who has produced state pictured ID as identification, and \_\_\_\_\_, who is personally known to me or who has produced state pictured ID as identification, and subscribed by me in the presence of the Testator and the subscribing witnesses, all on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC – STATE OF FLORIDA

\_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

My Commission Number is: \_\_\_\_\_