

LAST WILL AND TESTAMENT OF

[Name of Testator]

I, [Name of Testator], a resident of [State], Arkansas, being of sound and disposing mind and memory and over the age of eighteen (18) years or having been lawfully married or a member of the armed forces of the United States or a member of an auxiliary of the armed forces of the United States or a member of the maritime service of the United States, and not being actuated by any duress, menace, fraud, mistake, or undue influence, do make, publish, and declare this to be my last Will, hereby expressly revoking all Wills and Codicils previously made by me.

I. EXECUTOR: I appoint [Name] as Executor of this my Last Will and Testament and provide if this Executor is unable or unwilling to serve then I appoint [Name] as alternate Executor. My Executor shall be authorized to carry out all provisions of this Will and pay my just debts, obligations and funeral expenses.

II. ACKNOWLEDGMENT OF CHILDREN

I have the following children, and all references to "children" in my Last Will and Testament refer to the named following:

Name: [] Date of Birth: []
Name: [] Date of Birth: []
Name: [] Date of Birth: []
Name: [] Date of Birth: []

III. GUARDIAN: In the event I shall die as the sole parent and guardian of my minor children, then I appoint [Name] as Guardian of said minor children. If this named Guardian is unable or unwilling to serve, then I appoint [Name] as alternate Guardian.

IV. SIMULTANEOUS DEATH OF BENEFICIARY: If any beneficiary of this Will, including any beneficiary of any trust established by this Will shall die within 60 days of my death or prior to the distribution of my estate, I hereby declare that I shall be deemed to have survived such person.

V. BEQUESTS:

I will, give, and bequeath unto the persons named below, if he or she survives me, the Property described below:

Name: []
Address: []
Relationship: []
Property: []

Name: []
Address: []
Relationship: []
Property: []

Name: []
Address: []
Relationship: []
Property: []

Name: []
Address: []
Relationship: []
Property: []

If a named beneficiary to this Will predeceases me, the bequest to such person shall lapse, and the property shall pass under the other provisions of this Will. If I do not possess or own any property listed above on the date of my death, the bequest of that property shall lapse.

VI. ALL REMAINING PROPERTY; RESIDUARY CLAUSE: I give, devise, and bequeath all of the rest, residue, and remainder of my estate, of whatever kind and character, and wherever located, to [Name], provided that [Name] survives me. If [Name] does not survive me, then I give, devise, and bequeath all of the rest, residue, and remainder of my estate, of whatever kind and character, and wherever located, to [Name] as alternate.

VII. TRUST FOR THE BENEFIT OF MINOR CHILD(REN): In the event that I give, devise, or bequeath any of my estate under this will to any child of mine who is a minor at the time of my death, then I direct any and all such gifts, devises, or bequests for that child held in a separate trust, until said child reaches the age of 26. I name [Name] the trustee of each child's trust, and he or she shall serve without bond. If this person is unable or unwilling to serve as trustee, then I name [Name]

_____ to serve as trustee, and he or she also shall serve without bond.

The Trustee's Duties: The trustee shall hold the trust property for the benefit of the child and may distribute, to the extent the trustee deems necessary, income or principal of that child's trust to provide for the child's education, health, maintenance, and support. I further authorize the trustee to exercise discretion in deciding whether to make a distribution for the benefit of any child by considering the child's other income, resources, and sources of support. I direct the trustee to accumulate and to add to the principal of each trust any and all trust income that the trustee has not distributed to the child.

Termination of a Child's Trust: Termination of a child's trust shall occur upon any of the following events: the beneficiary dies before reaching age 26, the child reaches age 26, or the trust property is depleted through properly authorized distributions by the trustee. In the event that the trust terminates due to the child's death, the trustee shall distribute the remaining principal and accumulated net income of the trust to the child's heirs at law. In the event that the trust terminates upon the child's reaching age 26, the trustee shall distribute to the child any remaining principal and accumulated net income of the trust.

The Trustee's Authority: The trustee shall possess all authority granted to him or her in this will and the following powers enumerated in this paragraph. The trustee shall have the authority to hire accountants, agents, attorneys, investment advisors, tax advisors, and any other professional, as reasonably necessary, to administer the trust and to manage any trust asset and for any litigation affecting the trust, and to pay any such reasonable fees of such professionals with the trust's assets. The trustee shall have the authority conferred by this will on the executor with respect to property in the trust. In addition, the trustee shall have all other authority and powers generally conferred on trustees by the laws of the state that has jurisdiction over this trust.

General Administration of the Trust: Any and all children's interests held in trust are nontransferable by either voluntary or involuntary assignment or by operation of law. To the fullest extent permitted by law, all interests shall remain free from the claims of creditors and from attachment, bankruptcy, execution, or any other legal process. To the fullest extent permitted by law, the trustee shall administer at his or her sole discretion and independent of court supervision. Any trustee fulfilling the requirements under these trust provisions may receive reasonable compensation from the trust's assets for his or her services, including both ordinary and extraordinary services, and any and all services in relation to the complete or partial termination of any trust created by this will; however, no person who adds to the corpus of any trust shall ever be entitled to any compensation.

VIII. ADDITIONAL POWERS OF THE EXECUTOR: My Executor shall have the following additional powers with respect to my estate, to be exercised from time to time at my Executor's discretion without further license or order of any court.

IX. WAIVER OF BOND, INVENTORY, ACCOUNTING, REPORTING AND APPROVAL: My Executor and alternate Executor shall serve without any bond, and I hereby waive the necessity of preparing or filing any inventory, accounting, appraisal, reporting, approvals or final appraisal of my estate. I direct that no expert appraisal be made of my estate unless required by law.

X. OPTIONAL PROVISIONS: I have placed my initials next to the provisions below that I adopt as part of this Will. Any unmarked provision is not adopted by me and is not a part of this Will.

_____ If any beneficiary to this Will is indebted to me at the time of my death, and the beneficiary evidences this debt by a valid Promissory Note payable to me, then such person's portion of my estate shall be diminished by the amount of such debt.

_____ Any and all debts of my estate shall first be paid from my residuary estate. Any debts on any real property bequeathed in this Will shall be assumed by the person to receive such real property and not paid by my Executor.

_____ I direct that my remains be cremated and that the ashes be disposed of according to the wishes of my Executor.

_____ I direct that my remains be cremated and that the ashes be disposed of in the following manner:

_____ I desire to be buried in the _____ cemetery in _____ County, Arkansas.

XI. CONSTRUCTION: The term "testator" as used in this Will is deemed to include me as Testator or Testatrix. The pronouns used in this Will shall include, where appropriate, either gender or both, singular and plural.

XII. SEVERABILITY AND SURVIVAL: If any part of this Will is declared invalid, illegal, or inoperative for any reason, it is my intent that the remaining parts shall be effective and fully operative, and that any Court so interpreting this Will and any provision in it construe in favor of survival.

IN WITNESS WHEREOF, I, _____ [Name of Testator], hereby set my hand to this last Will, on each page of which I have placed my initials, on this _____ day of _____, 20____ at _____, State of Arkansas.

[Signature]

[Printed or typed name of Testator]

[Address of Testator, Line 1]

[Address of Testator, Line 2]

WITNESSES

The foregoing instrument, consisting of _____ pages, including this page, was signed in our presence by _____ [name of Testator] and declared by _____ [him or her] to be _____ [his or her] last Will. We, at the request and in the presence of _____ [him or her] and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a will, that to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this _____ day of _____, 20____ at _____, State of Arkansas.

[Signature of Witness #1]

[Printed or typed name of Witness #1]

[Address of Witness #1, Line 1]

[Address of Witness #1, Line 2]

[Signature of Witness #2]

[Printed or typed name of Witness #2]

[Address of Witness #2, Line 1]

[Address of Witness #2, Line 2]

[Signature of Witness #3]

[Printed or typed name of Witness #3]

[Address of Witness #3, Line 1]

[Address of Witness #3, Line 2]

--- Optional Self-Proving Affidavit Form ---

(Note: The grey box below is not a part of the Affidavit and is included for informational purposes only. You should not include it as part of the Affidavit.)

About this Self-Proving Affidavit Form: Although a Self-Proving Affidavit is not a requirement in the State of Arkansas, it is an *excellent* idea to sign one when executing a Will. It can greatly reduce the difficulty associated with probating the Will when the time comes. The testator, along with three witnesses, must sign the Affidavit together in the presence of a notary public. The Affidavit is then attached to the Will. Its basic purpose is to affirm that the Will is that of the testator and that the will was signed and witnessed in accordance with all applicable state requirements.

To make a self-proving Will, a testator should follow this procedure: (1) The testator should sign the Will in the presence of the witnesses and have the witnesses sign as well; (2) A notary public should be present at the time the Will is signed by the testator, together with all the witnesses; (3) The testator should provide the blank Self-Proving Affidavit form below to the notary public, or the testator should consult with the notary public to determine if a different Self-Proving Affidavit form is recommended; (4) The testator and witnesses should complete the Self-Proving Affidavit form in the presence of the notary public. The notary public will require the testator and witnesses to swear to the Self-Proving Affidavit's truth and may require that photo identification is presented; (5) Once completed, the Self-Proving Affidavit should be stapled to the Will.

SELF-PROVING AFFIDAVIT

State of Arkansas
County of _____

We, _____,
_____,
_____, and

_____, the testator and the witnesses respectively, whose names are signed to the attached instrument in those capacities, personally appearing before the undersigned authority and first being duly sworn, do hereby declare to the undersigned authority under penalty of perjury that the testator declared, signed, and executed the instrument as his/her last will; he/she signed it willingly or willingly directed another to sign for him/her; he/she executed it as his/her free and voluntary act for the purposes therein expressed; and each of the witnesses, at the request of the testator, in his or her hearing and presence, and in the presence of each other, signed the will as witness and that to the best of his or her knowledge the testator was at that time eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

[Signature of Testator]
[Printed or typed name of Testator]
[Address of Testator, Line 1]
[Address of Testator, Line 2]

[Signature of Witness #1]
[Printed or typed name of Witness #1]
[Address of Witness #1, Line 1]
[Address of Witness #1, Line 2]

[Signature of Witness #2]
[Printed or typed name of Witness #2]
[Address of Witness #2, Line 1]
[Address of Witness #2, Line 2]

[Signature of Witness #3]
[Printed or typed name of Witness #3]
[Address of Witness #3, Line 1]
[Address of Witness #3, Line 2]

Subscribed, sworn, and acknowledged before me, _____, a notary public,
by _____, the testator, and by _____,
_____, and _____,
_____, the witnesses, this _____ day of _____,
_____, 20_____.

[NOTARIAL SEAL]

Notary Public's Signature

My Commission Expires: _____