

**JOINT WILL AND TESTAMENT  
(California, USA)**

of

**JOHN SMITH and MARY SMITH**

We, JOHN SMITH and MARY SMITH, being over the age of 21 years, residing at 123 Panorama Avenue, San Francisco, California, and being of sound and disposing mind and memory for the disposition herein, and neither of us acting under duress, menace, fraud or undue influence of any person or persons whomsoever, do make, publish, and declare this our joint and mutual last will and testament.

1.

We, and each of us, hereby expressly revoke all former wills, codicils to wills, and any other testamentary dispositions heretofore made by either of us.

2.

We declare that we are husband and wife, that we are married, and that we have 1(one) child living namely our son ROBERT SMITH, residing with us.

It is our intention to dispose of all real and personal property which we have a right to dispose of by testamentary disposition. We declare that except as otherwise provided for in this will, we have intentionally omitted to provide for any of our heirs living at the time or times of our deaths; should any person be successful in legally establishing that for reason we have not intentionally omitted and disinherited such person, then we direct that such person or persons be paid the sum of ONE (\$ 1.00) US-DOLLAR.

3.

We give, devise and bequeath to the survivor of us, all and any real and personal property, owned by us either jointly or severally, wherever situated and whenever acquired, for her or his own use, who should have the right to dispose of all said property in such manner as said survivor shall elect and desire.

4.

We hereby appoint the survivor of us to be executor or executrix and direct that no bond be required of he or she who so acts.

5.

On the death of the survivor of us, or in the event that our deaths occur simultaneously or approximately so, or in the same common accident or calamity, or under circumstances causing doubt as to which of us survived the other, we hereby give, devise, and bequeath all of the real and personal property wherever situated, or whenever acquired, of which we die seized or possessed to our said son ROBERT SMITH. Should he predecease us then to his child or children.

6.

On the death of the survivor of us, or under circumstances mentioned in paragraph 5, or said son ROBERT SMITH is hereby nominated and appointed the executor of the estate herein, and he is to serve without bond.

The executor is hereby authorized to sell all the real and personal property given, devised, and bequeathed herein, at either public or private sale, either with or without notice, subject to such confirmation as may required by law.

IN WITNESS WHEREOF, we set our hands and seals this xx<sup>nd</sup> day of xxxxxx 20xx

\_\_\_\_\_  
JOHN SMITH

\_\_\_\_\_  
MARY SMITH

The foregoing instrument, consisting of 2(two) pages, including this one, on the day it bears date, by JOHN SMITH and MARY SMITH, the makers thereof, signed in our presence and in the presence of each of us, and at the time they subscribed said instrument, they declared us, that is was their joint will, and at their request and in their presence, and in the presence of each other, we have subscribed our names as witnesses thereto. At the time that the testator and testatrix subscribed this instrument in the presence of each of us, they were of sound and disposing mind and capable of making this will.

\_\_\_\_\_ residing at \_\_\_\_\_  
Signature of witness 1

\_\_\_\_\_

\_\_\_\_\_ residing at \_\_\_\_\_  
Signature of witness 2

\_\_\_\_\_

Notary Seal & Signature