**LAST WILL AND TESTAMENT OF First Name LAST NAME**

This is the last will of me, First Name XXX LAST NAME XXX, currently of the city of City YYYY, in the Province of Alberta,
(hereinafter referred to as my "Will"), with respect to the disposition of all property owned by me at the time of my death.

**PRELIMINARY DECLARATIONS**

1. I revoke all former wills and other testamentary dispositions made by me.

2. I am married to Spouse Name.

3. I have the following living children:

First ZZZ Last ZZZ, of Ottawa, Ontario, born on Month Day Year
Child 2 , of Toronto, Ontario, born on Month Day, Year
Child 3, of City YYYY, Alberta, born on Month, Day, Year

4. The term 'child' or 'children' as used in my Will includes all the above listed children and any children of mine that are subsequently born or legally adopted.

**EXECUTOR**

**Definition**

5. The expression 'my Executor' used throughout this Will includes either the singular and plural, and the masculine or feminine gender as appropriate wherever the fact or context so requires. The term 'executor' in this Will is synonymous with and includes the terms 'personal representative' and 'executrix'.

**Appointment of Executor**

6. I appoint the following: First ZZZ Last ZZZ, my son, of Ottawa, Ontario, to be the sole executor of my Will but if First ZZZ Last ZZZ should predecease me or is unable or unwilling to act as my Executor, then I appoint the following: Child Two, my daughter, of City, Ontario to be Executor of my Will in the place and stead of First ZZZ Last ZZZ.

7. No individual acting as an Executor under this Will will be required to give any security for the performance of his or her duties notwithstanding the laws of any country or other jurisdiction to the contrary.

**Powers of my Executor**

8. To carry out the terms of my Will, I give my Executor the following duties and powers with respect to my estate:

a. To pay my legally enforceable debts, funeral expenses and all expenses in connection with the administration of my estate and trusts created by my Will as soon as convenient after my death. If any of the real property devised in my Wills remains subject to a mortgage at the time of my death, then I direct that the devisee taking that mortgaged property will take the property subject to that mortgage and that the devisee will not be entitled to have the mortgage paid out or resolved from the remaining assets of the residue of my estate;

b. To take all legal actions to have the probate of my Will completed as quickly and simply as possible, and as free as possible from any court supervision, under the law of the Province of Alberta;

c. To retain, exchange, insure, repair, improve, sell or dispose of any and all personal property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;

d. To invest, manage, lease, rent, exchange, mortgage, sell, dispose of or give options without being limited to term and to insure, repair, improve, or add to or otherwise deal with any and all real property belonging to my estate as my Executor deems advisable without liability or depreciation;

e. To purchase, maintain, convert and liquidate investments or securities, and to vote stock, or exercise any option concerning any investments or securities without liability for loss;

f. To open or close bank accounts;

g. To maintain, continue, dissolve, change or sell any business which is part of my estate, or to purchase any business if deemed necessary or beneficial to my estate by my Executor;

h. To maintain, settle, abandon, sue or defend, or otherwise deal with any lawsuit against my estate;

i. To employ any lawyer, accountant or other professional; and

j. Except as otherwise provided in this Will, to act as my Trustee by holding in trust the share of any minor beneficiary, and to keep such share invested, pay the income or capital or as much of either or both as my Executor considers available for the maintenance, education, advancement or benefit of such minor beneficiary and to pay or transfer the capital of such share or the amount remaining of that share to such beneficiary when he or she reaches the age of majority or, during the minority of such beneficiary, to pay or transfer such share to any parent or guardian of such beneficiary subject to like conditions and the receipt of any such parent or guardian discharges my Executor.

9. The above authority and powers granted to my Executor are in addition to any powers and elective rights conferred by provincial/territorial or federal law or by any other provision of this Will and may be exercised as often as required and without application to or approval by any court.

**Compensation of Executor**

10. My Executor is entitled to compensation for acting as Executor under this Will in addition to any gift or benefit given by me under my Will or any codicil to it.

11. Where at any time any of my Executor is a solicitor, my Executor will be entitled to charge and be paid all usual professional fees or other charges for business transacted, time expended and acts done by my Executor or my Executor's in connection with the administration of my estate and the trusts of this my Will, including acts which a Trustee not being in any professional or business could have done personally.

**DISPOSITION OF ESTATE**

**Distribution of Residue**

12. To receive any gift or property under this Will, a beneficiary must survive me for thirty (30) days. Beneficiaries of my estate residue will receive and share all of my property and assets not specifically bequeathed or otherwise required for the payment of any debts owed, including but not limited to, expenses associated with the probate of my Will, the payment of taxes, funeral expenses or any other expense resulting from the administration of my Will. The entire estate residue is to be divided between my designated beneficiaries with the beneficiaries receiving a share of the entire estate residue. All property given under this Will is subject to any encumbrances or liens attached to the property.

13. I direct my Executor to transfer the entire residue of my estate to my spouse, if my spouse survives me for thirty (30) full days, for their own use absolutely.

14. If my spouse is not living on the thirtieth day following my death, I direct my Executor to divide the residue of my estate into as many equal shares as there will be children of mine then alive at my death, subject to the provisions hereinafter specified and to pay and transfer one such share to each of those surviving children.

15. If any child of mine dies before becoming entitled in accordance with the terms of this Will, to receive of his or her share of my estate, I direct that such share or the amount remaining of that share will be divided and transferred in equal shares to each of the surviving children of that deceased child of mine. And if any of such children of my deceased child dies before receiving the whole of his or her share of my estate, that share or the amount remaining thereof will be divided into equal shares amongst the surviving children of that child of mine. But if that deceased child of mine leaves no surviving children, then that share or the amount remaining of that share will be divided amongst my surviving children in equal shares.

**GENERAL PROVISIONS**

**Individual Omitted from Bequests**

16. If I have omitted to leave property in this Will to one or more of my heirs as named above or have provided with zero shares of a bequest, the failure to do so is intentional.

**Insufficient Estate**

17. If the value of my estate is insufficient to fulfill all of the bequests described in this Will, then I give my Executor the authority to decrease each bequest by a proportionate amount.

**Exclusion from Family Property**

18. For any beneficiary of my estate who is or becomes a spouse, all income and accumulations to all property, which that beneficiary receives as an inheritance from me, are to be excluded from the value of that beneficiary's net family property within the meaning of the provincial law as in force from time to time.

**No Contest Provision**

19. If any beneficiary under this Will contests in any court any of the provision of this Will, then each and all such persons will not be entitled to any devises, legacies, bequests, or benefits under this Will or any codicil hereto, and such interest or share in my estate will be disposed of as if that contesting beneficiary had not survived me.

**Severability**

20. If any provisions of this Will are deemed unenforceable, the remaining provisions will remain in full force and effect.

**DISPOSITION OF REMAINS**

21. My wish is the following regarding my remains:

I hereby direct that my body be disposed of in accordance with the funeral practices of the Christian / Muslim / Other Faith tradition.

IN WITNESS WHEREOF, I have signed my name on this \_\_\_\_\_\_\_ (day) day of \_\_\_\_\_\_\_\_\_\_ (month), \_\_\_\_\_\_\_ (year), as the Testator's Last Will, at City YYYY, Alberta, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
First Name XXX LAST NAME XXX

SIGNED by First Name XXX LAST NAME XXX on this \_\_\_\_\_\_\_ (day) day of \_\_\_\_\_\_\_\_\_\_ (month), \_\_\_\_\_\_\_ (year), as the Testator's Last Will, in the presence of us, at City YYYY, Alberta, both present at the same time, who at the Testator's request, in the presence of the Testator and in the presence of each other have signed our names as witnesses.

**WITNESS:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Name:
Address:
City:

**WITNESS:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Name:
Address:
City: