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This Instrument Prepared By:  
Feld Hyde, P.C.  
2000 SouthBridge Parkway, Suite 500  
Birmingham, Alabama 35209  
(205) 802-7575

## **An Illustration of How Your Estate will be Distributed if You Die Without a Will**

### MY LAST WILL AND TESTAMENT

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Being of sound mind and memory, I, \_\_\_\_\_, do hereby publish this as my Last Will and Testament.

#### ITEM I.

(a) If my death occurs while I have no surviving children, I give to my wife the first \$100,000 of my property and direct that my wife receive one-half (1/2) of the remaining balance. The rest of my property will pass to my parents, if living, and otherwise to my brothers and sisters or their children.

(b) If my death occurs while I have a surviving wife and children of our marriage, then my wife will receive the first \$50,000 of property and one-half (1/2) of the remaining balance. The remainder of my property will pass to my wife, as conservator for my children and will be used exclusively for the children.

(c) If my death occurs while I have a surviving wife and children from a prior marriage, then my surviving wife will receive one-half (1/2) of my property and my children's mother (my former wife) will receive the remaining one-half (1/2) as conservator for my children.

ITEM II.

(a) I appoint my wife as conservator of my children, but, as a safeguard, I require that she report to the Probate Court each year and render an accounting of how, why and where she spent the money necessary for the proper care of my children.

(b) As a further safeguard, I direct my wife to produce to the probate court a performance bond to guarantee that she exercises proper judgment in the handling, investing and spending of the children's money.

(c) When my children attain the age of 19 years (age 18 if married), they shall have full right to withdraw and spend their share of my estate. No one shall have any right to question my children's actions on how they decide to spend their respective share.

ITEM III.

(a) Should my wife remarry, her second husband shall be entitled to one-half ( $\frac{1}{2}$ ) of everything she received from my estate. Should my children need some of this share for their support, the second husband shall not be bound to spend any part of his share on my children's behalf.

(b) The second husband shall have the sole right to decide who is to get his share, even to the exclusion of my children.

ITEM IV.

(a) Should my wife predecease me or die while any of my children are minors, I do not wish to exercise my right to nominate the guardian of my children.

(b) Rather than nominating a guardian of preference, I direct my relatives and friends to get together and select a guardian by mutual agreement.

(c) In the event that they fail to agree on a guardian, I direct the Probate Court to make the selection. If the court wishes, it may appoint a stranger acceptable to it.

ITEM V.

Under existing tax law, there are certain legitimate avenues open to me to lower death taxes. Since I prefer to have my money used for governmental purposes rather than for the benefit of my wife and children, I direct that no effort be made to lower taxes.

**IN WITNESS WHEREOF**, I, \_\_\_\_\_, the Testator, sign my name to this, my Last Will and Testament, on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

The information contained herein should not be construed as legal advice or a legal opinion with respect to any specific facts or circumstances, and is not to be used as a substitute for the advice of counsel.