

# Last Will and Testament of [testator\_name]

State of South Dakota

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## DECLARATION & REVOCATION

I, \_\_\_\_\_, residing at \_\_\_\_\_, being of sound mind and memory, and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do hereby make, publish, and declare this instrument to be my Last Will and Testament, hereby revoking any and all prior wills and codicils made by me.

## FAMILY DECLARATIONS

I declare that I am currently unmarried.

## APPOINTMENT OF EXECUTOR

I hereby nominate, constitute, and appoint \_\_\_\_\_, residing at \_\_\_\_\_, as the Executor of this my Last Will and Testament. If this primary Executor is unable or unwilling to serve, I nominate, constitute, and appoint \_\_\_\_\_, residing at \_\_\_\_\_, as the alternate Executor.

I direct that no Executor nominated herein shall be required to post bond, security, or other surety in any jurisdiction for the faithful performance of their duties. I grant my Executor all powers, duties, and discretions allowed by the laws of the State of South Dakota, including the power to sell, lease, mortgage, or otherwise dispose of any real or personal property without court approval.

## DISPOSITION OF ESTATE

I give, devise, and bequeath all of my property and estate, both real and personal, of every kind and description and wherever situated, to my living children to be divided among them in equal shares. If none of my children survive me, my estate shall be distributed in accordance with the laws of intestacy of the State of South Dakota.

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## STATE-REQUIRED PROVISIONS

**SOUTH DAKOTA UNIFORM PROBATE CODE WILL EXECUTION (S.D. CODIFIED LAWS §§ 29A-2-502, 29A-2-504): TESTATOR REVOKES PRIOR WILLS. EXECUTED BEFORE TWO WITNESSES AND VERIFIED BY NOTARY JURAT.**

## SIGNATURES

\_\_\_\_\_  
Signature

**Testator:** \_\_\_\_\_

Date: \_\_\_\_\_

## WITNESS DECLARATIONS

The undersigned witnesses hereby declare under penalty of perjury that the principal signed this document in our presence.

\_\_\_\_\_  
Witness 1 Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness 2 Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

## NOTARY ACKNOWLEDGMENT

**STATE OF SOUTH DAKOTA**

**COUNTY OF** \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public, personally appeared the Principal/Testator, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

\_\_\_\_\_  
Notary Public Signature

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

[ Place Seal Here ]