

LAST WILL OF SAM SINGLE

Part 1 – Statements

I, SAM A. SINGLE, of MIDWEST, NH, after careful thought, declare this to be my last Will and revoke all prior Wills. If I choose to change the terms of this Will, I will do so in writing and sign in the presence of a notary.

I love you all so much!

Part 2 – Personal Representative

Physical & Digital Assets Controlled by Different Personal Representatives:

The person below (listed in order of preference) shall be my Personal Representative, with the exception of my Digital (Online) Assets. This Personal Representative shall have all the powers, and shall be subject to duties, listed in NH RSA 564-B:8-815 & 816 (NH Trustee Powers.)

- If I am legally married at the time of my death, my Spouse shall be my Personal Representative.

<u>Name</u>	<u>Relationship</u>	<u>City/State</u>
Joe B. Single	Parent	Hometown, NH
Jane C. Single	Parent	Hometown, NH
Sister O. Single	Sibling	Hometown, NH

The person below (listed in order of preference) shall be my Personal Representative regarding my Digital (Online) Assets. My Digital Representative shall have all the powers, and shall be subject to duties, listed in NH RSA 554-A.

- If I am legally married at the time of my death, my Spouse shall be the next Digital Representative.

<u>Name</u>	<u>Relationship</u>	<u>City/State</u>
Sister O. Single	Sibling	Hometown, NH
Girlfriend D. Nearby	Girlfriend	Midwest, NH

My Personal Representative: a) shall not require any bond; b) shall not be responsible for any good faith error(s) in judgment; and c) may receive reasonable payment for services.

Part 3 - Minor Child Guardianship

I request the person below (listed in order of preference,) serve as the guardian of my minor child(ren), if any. I ask the court not to require any bond or accounting.

- If I am legally married at the time of my death, I request that my Spouse serve as the guardian of my minor child(ren).

<u>Name</u>	<u>Relationship</u>	<u>City/State</u>
Joe B. Single	Parent	Hometown, NH

Dad must still be in good health.

Part 4 – Who Benefits

When a person is named as a relative in this Will, that person shall be treated as the relationship listed, regardless of blood relation or court record.

4.1 Included People

In addition to myself, and any person to whom I am legally married at the time of my death (my Spouse,) the following may benefit from this Will, unless Excluded below:

My Children

Also included are unnamed children Parented by me.

Others

<u>Name</u>	<u>City/State</u>
Girlfriend D. Nearby	Midwest, NH
Roommate E. Friend	Midwest, NH
Sister O. Single	Hometown, NH

Also included is any other person or entity who may benefit under the Property Division section below.

4.2 Excluded People

Regardless of any other section of this Will, the following people cannot benefit:

My Unnamed Children

Also excluded are unnamed children NOT Parented by me.

Others' Unnamed Children

Also excluded are unnamed children of an Included person that were not Parented by that Included person.

Termination of Parental Rights

Also excluded are unnamed children of an Included person for whom parental rights have been terminated.

Others

Also excluded are Roommate's step-children.

4.3 Parenting

A child is considered parented (“Parented”) when that child is:

- Born to (even if not later raised by) a person.
- Legally adopted by a person.
- A child who, at age 18 or under, became a stepchild to a person as a result of a lawful marriage.
- A child who, for a period of at least 5 years while under age 18, lived in a person’s household, under the parent-like control of that person.

Part 5 – Property Division

5.1 Physical Property

High Value & Special Physical Gifts

Give the High Value & Special Physical Gifts I have listed in separate writing(s), if any, to those listed. No substitute gifts shall be made. High Value Gifts shall be counted towards a person’s total gifts under this Will, unless: a) I have instructed that the gift does not “Reduce Other Gifts”; or b) the person declines the gift. If the person declines the gift, it may be sold as my Personal Representative sees fit. If the value of the gift exceeds what the person otherwise would have received from my estate, the person shall not pay the difference.

Other Physical Property

Give the physical property I have listed in separate writing(s), if any, to those listed. No substitute gifts shall be made. Divide all remaining physical property those Who Benefit from The Heart of my Estate Plan, as they shall agree. If they cannot agree within six months, or if I die without Included people or organizations, then my Personal Representative shall divide the property as my Personal Representative sees fit.

Spouse’s Rights to Physical Property

If I am legally married at the time of my death, my Spouse may continue to use any of my Residences, High Value, and Special Physical Gifts for the remainder of my Spouse’s life, before it is divided according to the instructions above. My Spouse may not sell this property unless it is agreed to in a writing signed by: a) the person/entity entitled to receive it (for Special Physical Gifts); or b) 51% or more of the people entitled to benefit from it (for Residences.)

Child(ren)’s Rights to Physical Property

If I have Included child(ren) at the time of my death, my child(ren) shall inherit the portion of my Physical Property to which they would have been entitled had I died without a Will.

5.2 Off the Top Gifts

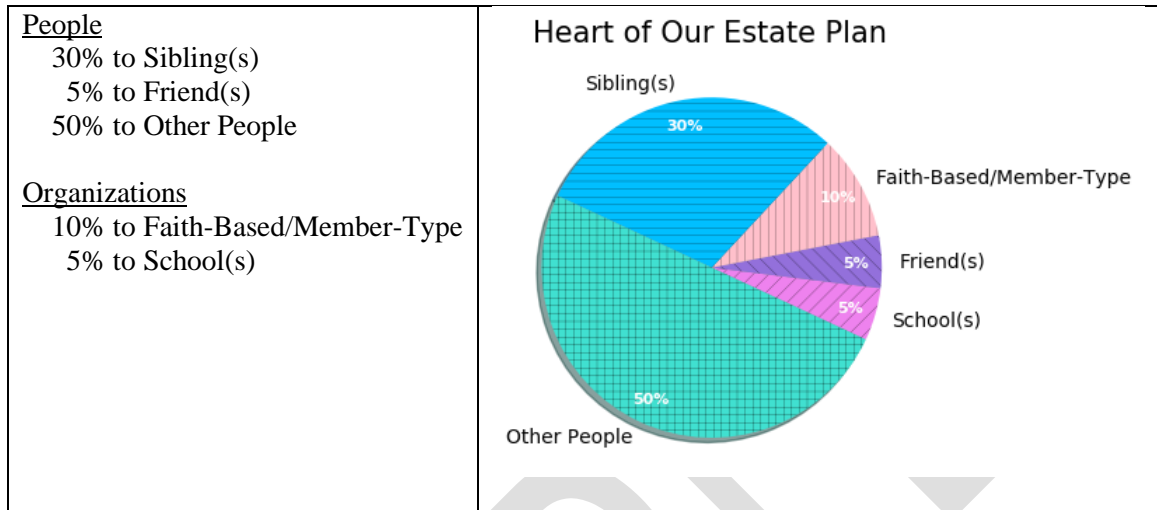
None.

Witness Initials: _____

Sam Single Signature: _____

5.3 The Heart of My Estate Plan

Divide the rest of my estate as follows:



The gifts that form the Heart of my Estate Plan are intended to divide all that remains after my Physical Property and Off the Top Gifts have been given. These gifts shall take into account High Value Gifts and Gift Advances. If the gifts in this section do not total 100% for any reason, then my Personal Representative shall adjust the shares proportionately in order to distribute everything.

Siblings (Equal Portion)

Divide 30% equally among the following siblings:

<u>Name</u>	<u>City/State</u>	<u>Passes to Heir?</u>
Sister O. Single	Hometown, NH	Yes

Friends (Equal Portion)

Divide 5% equally among the following friends:

<u>Name</u>	<u>City/State</u>	<u>Passes to Heir?</u>
Roommate E. Friend	Midwest, NH	Yes

Other People (Equal Portion)

Divide 50% equally among the following:

<u>Name</u>	<u>Relationship</u>	<u>City/State</u>	<u>Passes to Heir?</u>
Girlfriend D. Nearby	Girlfriend	Midwest, NH	No

Witness Initials: _____

Sam Single Signature: _____

Faith-Based or Member-Type Community Groups

Divide 10% among the following faith-based or member-type community groups as directed:

<u>Name</u>	<u>Percentage</u>	<u>City/State</u>	<u>Moves with Me?</u>
Sam's Church	10%	Midwest, NH	Yes

Schools

Divide 5% among the following schools as directed:

<u>Name</u>	<u>Percentage</u>	<u>City/State</u>	<u>Moves with Me?</u>
Sam's College	5%	Midwest, NH	No

Spouse's Rights to Heart of My Estate

If I am legally married at the time of my death, the instructions in this section shall be modified so my Spouse shall inherit 50% of the Heart of My Estate. The remaining portion shall be divided according to the instructions above.

Child(ren)'s Rights to Heart of My Estate

If I have Included child(ren) at the time of my death, my child(ren) shall inherit the portion of the Heart of My Estate to which they would have been entitled had I died without a Will.

5.4 Remainder

If I die with no Included people or organizations, give the balance of my estate in equal shares to the following organizations:

<u>Name</u>	<u>City/State</u>	<u>Moves with Me?</u>
Sam's Church	Midwest, NH	Yes
Sam's College	Midwest, NH	No

Sam Single Signature: _____ Witness Initials: _____

Part 6 – Rules

6.1 Personal Representative and Trustee Judgment

When the division requires my Personal Representative or a Trustee’s opinion, that person may, but is not required to, consider the following in determining that division: a) any of my writing(s) that give specific property to specific people; b) relationship (my children are most important); c) the request(s) of those who benefit from this Will; d) the need(s) of those who benefit from this Will; and e) monetary value. The decision(s) of my Personal Representative and Trustee shall be final.

6.2 Gift Advances

If I make gift advances to a person specifically listed in separate writing(s), then my Personal Representative shall reduce that person’s other gifts by any amount not repaid, unless directed not to in the separate writing. If the value of the advance exceeds what the person would have otherwise received from my estate, the person shall not be required to repay the difference.

6.3 When an Included Person Dies or Becomes Unable to Act

Passing to Heirs

Unless I have instructed otherwise, if an Included person dies before I do, the Personal Representative shall give the person’s gift to the person’s Heirs as the Personal Representative in good faith determines I would want. If the person has no legal Heirs, then my Personal Representative shall give the gift as my Personal Representative sees fit. If I have instructed that the gift should not “Pass to Heirs,” then my Personal Representative shall treat the gift as if it did not exist.

Survivorship Requirement

A person must survive me by thirty (30) days in order to benefit from this Will. Otherwise, the person shall be treated as if he or she died before me.

Included People Unable to Act

In the event an Included Person becomes Unable to Act, my Personal Representative may hold that person’s benefits in trust for that person’s health, education, support, or maintenance, if my Personal Representative in good faith determines I would want to. Otherwise, that person shall be treated as if they died before me.

Any payments made under this section shall be made in a way that does not affect public benefits.

Witness Initials: _____

Sam Single Signature: _____

6.4 Gifts that Move

If I give a gift to a member-type organization, and I move my member-type connection to a different organization during my life, then the gift should “Move With Me” unless I have instructed otherwise. If I have instructed that the gift should not “Move With Me,” then the gift should be given to the named organization even if I moved my member-type connection. My Personal Representative’s good faith determination that I moved my member-type connection shall be final.

If my Personal Representative in good faith determines a charity, organization, or member-type group has ceased to exist, or has changed so that I would not have given to it, my Personal Representative shall name an alternate organization which my Personal Representative in good faith determines I would support. Preference shall be given to organizations I supported during my lifetime.

6.5 Joint Gifts

If I direct that a single gift be jointly given to two or more specifically named people, then the gift should be given as one payment to all those jointly-named, unless any of the following occur:

Jointly-Named Person Dies or Unable to Act

If a jointly-named person dies or becomes Unable to Act, the gift should be given in full to the active jointly-named person(s). If no jointly-named person survives me, the gift should be divided equally among the jointly-named people’s Heirs, unless I instructed that it should not “Pass to Heirs,” at which time the gift should be treated as if it did not exist.

Jointly-Named People Separate

If jointly-named people separate, the gift should be divided evenly between the people, unless my Personal Representative in good faith determines I would want only certain jointly-named people to receive it.

6.6 Age Rules

People Under Age 18

If any Included person is under the age of 18, that child’s gift shall be given under the Uniform Transfers to Minors Act to the custodial parent, for the benefit of the child. If the child has no custodial parent, then my Personal Representative may make this gift under the UTMA to my Personal Representative, or any parent-like person selected by my Personal Representative.

6.7 Rejection of Payments

Unless I instructed that a person’s gift should not “Pass to Heirs,” if any person who benefits from this Will informs my Personal Representative in writing that they decline their gift, my Personal Representative may make the rejected gift to that person’s legal Heir(s), or divide the payments otherwise, as my Personal Representative sees fit. This section shall not apply to High Value gifts.

Sam Single Signature: _____
Witness Initials: _____

6.8 Protective Trust

No gifts under this Will may be used to satisfy any debt or obligation. To prevent this, my Personal Representative may refuse to make any payments, or may make payments in alternative ways.

6.9 Special Terms

Conditions Which Stop Payments

My Personal Representative shall stop making payments to a person if that person:

- Is convicted of a:
 - o violent crime

6.10 Unable to Act

In the event a licensed physician or active court judge states in a signed writing that a person is substantially unable to manage that person's finances, and such inability is expected to be permanent, that person is Unable to Act for the purpose of this Will. Prior to a licensed physician or judge's determination of a person's Inability to Act, a person is considered Able to Act.

6.11 Individual Paragraphs

If any part of this Will is invalid or unenforceable, the remaining parts shall remain fully effective.

6.12 Trust Creation

If any part of this Will requires the creation of a Trust, then my Personal Representative shall be that Trust's Trustee, and shall have all the powers, and shall be subject to duties, listed in NH RSA 564-B:8-815 & 816 (NH Trustee Powers.)

Witness Initials: _____

Sam Single Signature: _____

I sign, in the presence of three (3) witnesses, and state this is my Will on the date below. For identification, I have signed each page of this Will.

_____ Date

_____ Signature

This Will was recognized and signed by SAM A. SINGLE in our presence. We have signed below at SAM A. SINGLE's request, in the presence of SAM A. SINGLE and each other, on the date written above.

Witnesses Signature

Residence: City, State

STATE OF NEW HAMPSHIRE

This Will was recognized and signed before me on _____ by SAM A. SINGLE, and the witnesses _____, _____, and _____, who under oath do swear as follows:

1. To the best of our knowledge, SAM A. SINGLE freely and voluntarily signed this Will;
2. We signed this Will at the request of SAM A. SINGLE, in the SAM A. SINGLE's presence, and in the presence of each other; and
3. To the best of our knowledge, at the time of signing, SAM A. SINGLE was at least eighteen (18) years of age and was of sane mind.

Notary Public
My Commission Expires: _____

