

SAMPLE WILL

LAST WILL AND TESTAMENT

OF

JOHN DOE

THIS IS THE LAST WILL AND TESTAMENT of me, **JOHN DOE**, of 134 Legal Way, Halifax, in the province of Nova Scotia.

I REVOKE all Wills, Codicils and other Testamentary Dispositions formerly made by me.

1. **I APPOINT** my cousin, **BOBBY-JOE DOE**, sole Executrix and Trustee of this, my will. If she should predecease me, we die together in a common accident, or she is no longer willing or capable of being the Executrix and Trustee, **I APPOINT** my cousin, **JIMMY DOE**, the Executor and Trustee of this, my will.
2. I direct my Executrix to pay, from my estate, all my debts, funeral and testamentary expenses, all income and capital gain taxes and all estate inheritance and succession duties or taxes arising as a result of my death.
3. I give all my property, real and personal, wherever located, including property over which I may have a general power of appointment, to my Executrix, in trust, and I direct my Executrix as follows:
 - a. To transfer those articles that are referred to in a memorandum dated the 8th day of January, 2016, signed by me prior to the execution of this, my will, and which memorandum is hereby incorporated in this, my will, to the persons and in accordance with the directions contained in such memorandum.
 - b. I direct that Fifty Percent (50%) of rest and residue of my estate be set aside to be given to my wife, **JANE DOE**.
 - c. I direct that Forty Percent (40%) of rest and residue of my estate be set aside and divided equally among my children, **JANICE DOE** (20%), and **JOHNNIE DOE** (20%).
 - d. To give the rest and residue of my Estate equally to my niece, **MONICA DOE** (5%), and my nephew, **MICHAEL DOE** (5%), or all to the survivor of the two, should one predecease the other.

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Should any of the beneficiaries listed in Paragraph 3 (a) to (d) predecease me, leaving children, their share shall go to those children alive, in equal shares, if more than one. Should any of the beneficiaries listed in Paragraph 3 (a) to (d) predecease me, leaving no children, their share shall fall back into the residue of my estate.

4. I give my executor the following powers in addition to all the other powers conferred by my Executrix by this, my will, or by any status or law and subject to the other provisions of this, my will:
 - a. Power of Sale - To sell any part of my estate not consisting of money at such time or times and in such manner and upon such terms for either cash or credit as my Executrix may consider advisable and to execute and deliver to the purchasers any deeds or other instruments necessary for the purpose of completing the sale.
 - b. Power of Retention - To postpone the conversion of all or any part of my estate for such a length of time as my Executrix may think fit, and to retain any portion of my estate in the form in which it may be at the time of my death for such length a time as the Executrix may consider advisable, and my Executrix shall not be held responsible for any loss incurred.
 - c. Power of Investment - To make any investment which my Executrix may consider to be prudent without being limited to investments authorized by law for Trustees. My Executrix may purchase investments, including by not limited to, Guaranteed Investment Certificates, common trust funds and annuities sold by any Company, and my Executrix shall not be liable for any loss that may happen to my estate in connection with any such investments.
 - d. Division of Assets - To make any division of my estate, or pay any share or interest, either wholly or in part, in the assets forming my estate at the date of my death, or at the time of such division or payment, and I declare that my Executrix shall fix the value of my estate or any part thereof for the purpose of making any division or payment, and the decision of my Executrix shall be final and binding upon all persons concerned.
 - e. Designation of Trust Income - To determine the income of the trust that is payable in each year to each beneficiary thereof whether or not such amounts are actually paid during that year and to determine each preferred beneficiary's share (if any) of the accumulating income of the trust in

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accordance with the provisions of the Income Tax Act (Canada) and file a joint election with each preferred beneficiary (if any) with respect to their share of the accumulating income of the trust.

5. IN WITNESS WHEREOF I have to this, my last will, upon this and all preceding pages, subscribed my name this 8th day of January, 2016.

SIGNED, PUBLISHED AND DECLARED by **JOHN DOE** as and for his Last Will and Testament, in the presence of us, both present at the same time, who, at his request, in her presence, and in the presence of each other, have hereunto subscribed our names as witness.

[Witness]

[Address]

JOHN DOE

[Witness]

[Address]

SAMPLE WILL TEMPLATE

SAMPLE MEMORANDUM

This is the list of articles of personal property, forming part of my Will, which I intend to execute on the 8th day of January, 2016, pursuant to Clause 3 (a)

Wedding Ring Set	JANE DOE
Clothing and Jewelry	MICHAEL DOE (to be disposed of as he sees fit)
1988 2dr Coupe Fire Bird	JOHNNIE DOE
2014 Ford F-150	JAMES DOE
Scaffolding	BARTHOLOMEW "BART" TRIM
Table Saw	BARTHOLOMEW "BART" TRIM
Small Hand Tools (Including: Speed Square, Chisels, Chalk Line, Framing Square, Utility Knives, Framing Hammer, Cat's Paw, Screwdrivers, Measuring Tape, Tool Belt)	JOHNNIE DOE
Musical Instruments (Including: Breedlove Pursuit Concert Mahogany Guitar and Hohner Old Standy Harmonica)	JANICE DOE

DATED at Halifax, Nova Scotia, this 8th of January, 2016.

[Witness]

JOHN DOE

[Witness]

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