

AFFIDAVIT OF EXECUTION OF WILL

IN THE MATTER OF THE WILL AND TESTAMENT OF:

I, _____, of

_____.

MAKE OATH AND SAY:

1. That I know _____,
of _____.

2. That on the _____ day of _____,
A.D. 19 _____, I was personally present and did see the
paper writing thereunto annexed and marked as Exhibit "A"
to this my affidavit, executed by the said
_____, as it now appears, as
and for his/her last will and testament, by signing
his/her name at the foot or end thereof, and that at the
time of the execution of the will the testator was of the
full age of majority, and, in my opinion, the testator
was of sound mind, and understanding at the time of the
execution of the will.

3. That the will was so executed by the testator in
my presence, and in the presence of _____
of _____, who were both present at the same
time; whereupon the said other witness and your deponent,
did, in the presence of the testator, attest and subscribe
the will as witnesses.

4. That neither your deponent or the other said
witness is a beneficiary, nor the spouse of a beneficiary,
named in the will.

5. That no other copy of the will was executed by the
testator.

SWORN BEFORE ME AT)

_____)

_____)

THIS _____ DAY OF)
_____ 19 _____)

A Notary Public, etc.

NOTES:

(This is for the witness to sign and swear to before a notary public (or the like) just after they have witnessed your signing of your will. This need not be done immediately, and can wait until death, but this is a good thing to do as soon as possible for many reasons.)

Delete Text Above

-this affidavit has many blanks, and I have not noted all of same in the left margin.

-use also where the testator signed with a mark or was blind:

"That previously to the execution of the will by the testator, the will was read over to the testator by me (or by the person who did so read in your presence), and the testator at that time had a knowledge of its contents and appeared perfectly to understand the will.

-use where the will was signed by a third party for and on behalf of the testator at this request, change paragraph #2. to read, in part:

"by _____ signing the name of the testator to the will at the request of, and in the presence of, the testator, who was physically unable to sign his/her name or make his/her mark."

-this affidavit can be used for a codicil, but change the work 'will' to 'codicil' where found.

-this affidavit can also be used after the death of the testator, if you change the word "know' in paragraph 1. to "knew"; and also add the word "deceased" at the end of paragraph 1.