

**LAST WILL AND TESTAMENT OF [FULL NAME OF SPOUSE 1] AND [FULL NAME OF SPOUSE 2]**

We, [Full Name of Spouse 1], and [Full Name of Spouse 2], husband and wife, residents of [County], Texas, declare this to be our joint

**ARTICLE I – FAMILY INFORMATION**

We are married to each other and have the following children: [list names of children]. We intend this Will to be our joint will executed in our joint capacity as spouses and to be binding upon our estates.

**ARTICLE II – APPOINTMENT OF EXECUTOR**

We appoint [Name of Executor], residing at [Executor's Address], as Executor of our estates. If [he/she/they] is unable or unwilling to serve, then we appoint [Name of Alternate Executor] as alternate Executor.

**ARTICLE III – PAYMENT OF DEBTS AND EXPENSES**

We direct that all of our just debts, funeral expenses, and expenses of last illness be paid as soon after our deaths as practicable by our Executor.

**ARTICLE IV – DISPOSITION OF PROPERTY**

**A. Joint Property**

We own certain property jointly. Such joint property shall pass to the surviving spouse by right of survivorship, and is not subject to this Will.

**B. Separate Property**

We direct that all of our separate property, tangible and intangible, including property acquired before marriage or by gift, devise, or bequest, be distributed as follows:

**To Spouse 1:** [Description of property or percentage]

**To Spouse 2:** [Description of property or percentage]

**ARTICLE V – RESIDUARY CLAUSE**

All the rest, residue, and remainder of our property, real and personal, wherever situated, not otherwise effectively disposed of, we give, devise, and bequeath to each other during our lifetimes, and upon the death of the surviving spouse, to our children named above, in equal shares per stirpes.

**ARTICLE VI – GUARDIANSHIP OF MINOR CHILDREN**

If at the time of our deaths any of our children are under the age of eighteen (18), we nominate and appoint [Name of Guardian] as guardian of their persons and estates. If [he/she/they] is unable or unwilling to serve, we appoint [Name of Alternate Guardian] as alternate guardian.

**ARTICLE VII – TAXES**

We direct that all estate, inheritance, and succession taxes payable by reason of our deaths shall be paid out of our residuary estates, without apportionment.

**ARTICLE VIII – NO CONTEST CLAUSE**

If any beneficiary under this Will contests this Will or any of its provisions, any share or interest in our estate given to that contesting beneficiary shall be forfeited and shall become part of the residuary estate.

**ARTICLE IX – SURVIVAL**

Unless otherwise stated, any beneficiary must survive us by 30 days to take under this Will. If a beneficiary fails to survive by 30 days, it shall be deemed that the beneficiary predeceased us.

**ARTICLE X – GOVERNING LAW**

This Will shall be governed by and construed in accordance with the laws of the State of Texas.

**ARTICLE XI – JOINT WILL PROVISIONS**

This Will is executed by us as a joint will. We agree that neither of us shall revoke or amend this Will without the written consent of the other. Any attempt to revoke or amend this Will by either of us shall be ineffective and void. This Will shall be binding upon our estates, heirs, executors, administrators, and assigns.

**ARTICLE XII – SEVERABILITY**

If any provision of this Will is held invalid or unenforceable, the remaining provisions shall not be affected and shall remain in full force and effect.

**ARTICLE XIII – SIGNATURES**

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_ day of \_\_, 20\_\_, declaring this to be our joint Last Will and Testament.

**[Full Name of Spouse 1]**

Signature: \_\_\_\_\_

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

Witness 1 Name: \_\_\_\_\_

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

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

**[Full Name of Spouse 2]**

Signature: \_\_\_\_\_

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

Witness 2 Name: \_\_\_\_\_

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

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

**ARTICLE XIV – NOTARY ACKNOWLEDGMENT**

STATE OF TEXAS COUNTY OF \_\_\_\_\_ BEFORE ME, the undersigned authority, on this day personally appeared [Full Name of Spouse 1] and [Full Name of Spouse 2], known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this \_\_ day of \_\_, 20\_\_.

\_\_\_\_\_ Notary Public, State of Texas My commission expires: \_\_\_\_\_

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