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# LAST WILL AND TESTAMENT

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I, , a resident of , State of , do make and declare this to be my Will, and I revoke all my prior Wills and Codicils.

**I: Declaration Concerning Family.** I declare that I am not married.

**II: Nomination and Appointment of Executor.** I now nominate and appoint as my Executor to serve without bond, surety, or other security. Suppose fails to become or at any time ceases to be the duly appointed acting Executor. In that case, I appoint , Successor Executor, to serve without bond, surety, or security. The term "Executor" as used herein shall apply regardless of gender. My Executor is entitled to reimbursement of all verified expenses and reasonable compensation.

**III: Nomination of Digital Executor.** My Executor shall also be my Digital Executor to serve without bond, surety, or other security. For this Will, Digital Executor shall mean a designated Executor assigned to manage the responsibilities for my digital assets after death. The term "Digital Executor" shall apply regardless of gender.

**IV: Last Illness, Funeral Expenses, Debts** . I direct that all my outstanding debts, expenses of my funeral, and any last illness expenses be paid first from my estate.

**V: Powers of Executor.** I authorize my Executor to act with the powers and authority granted by law or necessary or appropriate for the proper administration of my estate. In addition to all powers granted by law, my Executor shall have the following rights:

1. To retain any of my property; to sell, at public or private sale, encumber or lease any property of my estate without notice, at such prices, and upon such terms, as deemed best, and without the giving of any bond, subject, however, to such confirmation, as may be required by law;
2. To manage, control, sell, convey, exchange, partition, divide, subdivide, improve and repair; to grant options and to sell upon deferred payments; to lease for terms within or to extend beyond the duration of the Will administration and to create restrictions, easements, and other servitudes; to compromise, arbitrate, or otherwise adjust claims in favor of or against the Will.
3. To institute, compromise, and defend actions and proceedings; to construct, alter or demolish any buildings; and to carry such insurance as the Executor may deem advisable to hold, manage and operate such property;
4. To continue the operation of any business of my estate, alone or in partnership with others, for such

times and in such manner as deemed advisable, or to sell or liquidate such company, and any such operation, sale, or liquidation shall be at the risk of my estate and without liability on my Executor for any losses resulting; vote shares, exercise shareholder rights.

5. To invest and reinvest surplus sums of money in such investments as deemed advisable; to determine what is principal and what is the income of my estate and to allocate and charge to either principal or income any debts, taxes, and expenses of administration.
6. To collect, retain, maintain, and distribute life, health, and disability insurance policies, without diversification regarding kind, amount, risk, or nonproductivity. To carry insurance, at the expense of the estate, from such types and amounts, the Executor deems it advisable to protect the estate and the Executor personally against a hazard or liability.
7. To act as a Successor Custodian if I am a Custodian under the Uniform Transfer to Minor Act and can no longer act as Custodian because of my death and there is no designated Successor Custodian available.
8. To file necessary tax returns, redirect mail, cancel services, and carry out my wishes as outlined in this Will.
9. To employ accountants, attorneys, custodians for assets, and other agents or assistants as my Executor deems advisable, and to compensate them and pay their expenses from estate income and principal.
10. To enter an appearance as a Representative, open any ancillary administration in any jurisdiction that may be required to transfer or receive any estate property.
11. To establish reserves, release powers, and prosecute, defend, settle, or contest claims related to my estate or any property or interest held by my estate.
12. To establish and fund or recant any Trusts, including but not limited to Supplemental Needs Trusts and Minors Trusts, to receive property distributable to any beneficiary of the Will, in the discretion of my Executor or required by law.
13. To make payments directly to a beneficiary, a beneficiary's legal Guardian or caregiver, or directly for a beneficiary's expense. To transfer any property distributable to a minor heir to a Custodian selected by my Executor under the Uniform Transfers to Minors Act until the minor reaches the maximum age allowable under the Uniform Transfers to Minors Act or a similar law in effect at the time of my death.
14. To otherwise act in any way allowable by the law of any competent jurisdiction to carry out the legal responsibilities of an Executor of my estate.
15. Should the Executor elect not to pay any or all of the estate, gift, or inheritance taxes, to the extent they are unpaid:

- A. All taxes levied by the United States or any State, District, territory, or possession shall be paid out of the residue of my estate, without apportionment against any beneficiary or other person, as an expense of administration. Such taxes could be derived from, but not be limited to (i) any property passing under this Will or any Codicil to it; (ii) because of any transfer or gift made by me during my lifetime or at my death; (iii) which may be imposed because of my death; (iv) because of the acquisition of property by any person upon my death by succession, inheritance, survivorship or otherwise.
- B. My Executor may make any elections allowed by the Internal Revenue Code (I.R.C.) or any state or other jurisdiction laws in making such elections. My Executor shall have no liability and have no duty to make such elections.

**VI: Powers of Digital Executor.** My Digital Executor shall have the right and power to manage, distribute, and terminate my Digital Assets under the Letter of Instructions incorporated by reference into this Will without an order of the court and notice to anyone.

I authorize my Digital Executor to act with the powers and authority granted by law or necessary or appropriate for the proper administration of my estate. Such authority shall be exercised with the same standard of care they exercise in managing their affairs, with discretion, reasonableness, and informed ability to dispose of my Digital Assets and distribute their value under my Will's terms.

I authorize the Custodian(s) of my Digital Assets to grant full access to my Digital Assets to my Digital Executor. My Digital Executor's powers shall include, but not be limited to:

1. To access, download, and digital backup assets, convert my file formats, access any devices as necessary to manage digital assets, clear computer caches, and delete files.
2. To administer my Digital Assets using independent administration, with unsupervised Probate or any similar and appropriate laws designed to operate without bond and supervision of Probate Court.
3. To delegate authority and responsibilities when appropriate to the practical and prudent management, distribution, and termination of my Digital Assets.
4. To employ professional assistance and counsel by using lawyers, accountants, financial advisors, or other professional services necessary by the Digital Executor for the proper administration of my Digital Assets.
5. To continue to exercise the powers provided in this Will after the termination of my estate until the distribution of all the estate's Digital Assets.
6. To otherwise act in any way allowable by the law of any competent jurisdiction to carry out the legal responsibilities of a Digital Executor of my estate.

My Digital Executor is an authorized user for purposes of all computer access and computer fraud laws. This authority is considered lawful consent to reveal the contents of any communication or

stored record under the Stored Communications Act, Computer Fraud and Abuse Act, and all federal and state laws concerning digital assets, data privacy, or computer fraud.

**VII: Disposition of All Property; Exercise of Power of Appointment.** It is my intention by this Will to dispose of my separate property, if any, and also my share of the community property of my spouse, if I married at the time of my death and my spouse survives me.

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**A. Specific Bequests.** I direct that the following specific bequests be made from my estate:

**B. Digital Assets.** My Digital Assets, if any, shall be Schedule A

For purposes of this section, Digital Asset means an electronic record in which I have a right or interest and may include data, files, documents, audio, video, images, sounds, social media content, social networking content, apps, codes, credit card points, travel-related miles and points, computer source codes, computer programs, software, software licenses, databases, blogs, domain names, user names, passwords, or the like, which are created, generated, or stored by electronic means.

The term Digital Asset and the rights regarding Digital Assets granted herein [includes the content of electronic communications explicitly as defined in 18 U.S.C. § 2510(12)] and do not include an underlying asset or liability unless the asset or liability is itself an electronic record. For purposes of this definition, "electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities, and "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

For purposes of this section, Digital Account means an arrangement under a terms-of-serve agreement in which a custodian either carries, maintains, processes, receives, or stores Digital Assets or provides goods or services for the principal.

**C. Cryptocurrency.** If I own cryptocurrency investments, crypto-coins, tokens, any other form of digital cash, or if there is anything found in or on cryptocurrency wallets, I will provide for the specific beneficiary by Bequest in paragraph A above. If no individual bequest is specified, all crypto assets shall be distributed with the residuary of my estate.

My cryptocurrency might be stored on Digital Wallets, paper wallets, online exchanges, or wallets and exchanges. The following items or devices might contain a Cryptocurrency Wallet. These items should not be distributed to any person until the cryptocurrency, digital cash, or any information related to the access of my cryptocurrency is transferred to a named or specific beneficiary or those beneficiaries in my residuary estate.

I have created separate writing from this Will explaining how to access my cryptocurrency wallets and online accounts. This document needs to be kept private as it contains the passwords, PINs, and private keys required to access my cryptocurrency. This document will likely be stored with my other estate planning documents.

**VIII: Disposition of Personal Effects.** Except as provided in any written instructions to my Executor regarding the disposition of personal effects and any Specific Bequests I have given above, I give any interest I may have in all personal clothing, jewelry, china, silver, books, pictures, and

other works of art, household furniture and furnishings and all other items of domestic, household or personal use to my spouse if I am married and my spouse survives me. If my spouse does not survive me, I give such property to the residue of my estate. The bequests made by this paragraph shall be free and clear of estate and inheritance taxes, which I direct my Executor to charge against the residue of my estate.

Name:	Percentage:

1. In the event is not then living, the share held in Trust of such deceased beneficiary shall go to 's then living issue, per stirpes. In the event has no then living issue the share of such deceased beneficiary shall go to proportionately augment the shares of the remaining beneficiaries.

**X: Omitted Heirs.** Except as otherwise specified in this Will, I have intentionally and with full knowledge omitted to provide for my descendants, heirs, and any person not named or described in this Will, whether known or unknown to me. I have made no contract or agreement to leave any gifts to any person or entity, and I expressly disinherit anyone who claims otherwise.

**XI: Will Contests.** If any beneficiary under this Will or heir at law of mine or person claiming through any of them shall contest or otherwise challenge the validity of this Will or attack any of its provisions directly or indirectly, any share or interest in my estate given to such person under this Will is hereby revoked, and such share or interest shall be distributed in the same manner provided herein as if such person had predeceased me.

**XII: General Provisions.** I direct that the following general provisions apply to my Will:

1. **Governing Law:** This Will and all dispositions, validity, and construction shall be governed by and interpreted under the laws of the State of Illinois.
2. **Partial Invalidity:** Should any part, clause, provision, or condition of this Will be held to be void, invalid, or inoperative, then I direct that such invalidity shall not affect any other provision hereof, which shall be effective as though such invalid provisions had not been made.
3. **Survival Requirement:** A beneficiary must survive me, be alive or be an entity in existence for at least thirty (30) days after my death to receive property from this Will. If I am married at the time of my death, and my spouse and I shall die under such circumstances that the order of our deaths cannot be readily ascertained, my spouse shall be deemed to have predeceased me. This article modifies all provisions of this Will accordingly.
4. **Gender Titles:** The masculine, feminine, or neuter genders shall each include the others, and all words used in this Will in any gender shall extend to and include all genders and any singular terms shall include the plural expression and explicitly include "child" and "children" when the context or

facts so require, and any pronouns refer to the person or persons intended regardless of gender.

5. **Headings:** The headings, titles, and subtitles used in this Will are for the convenience of reference only and do not form a part and modify, interpret or construe the meanings of the provisions contained and shall not affect the construction of this Will.
6. **Contingent Beneficiary:** If there is no qualified beneficiary named in this Will remaining alive or in existence to receive a final distribution of the residuary of my estate, then that portion of my estate shall be distributed under the law of intestate distribution and by proportions provided by the then-current laws.

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IN WITNESS WHEREOF, I attest I am 18 years of age or older, of sound mind and memory, under no constraint or undue influence, and willingly signed and subscribed my name to this Will, as my free and voluntary act on \_\_\_\_, \_\_, \_\_\_\_.

Signature:

\_\_\_\_\_

STATE OF ILLINOIS                    )  
  :   SS.  
COUNTY OF                                )

On \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, personally appeared , \_\_\_\_\_ (witness) and \_\_\_\_\_ (witness), known to me (or proved me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that this person executed the same.

WITNESS my hand and official seal.

\_\_\_\_\_

NOTARY PUBLIC

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## STATEMENT OF WITNESSES

The Testator declared to us, the undersigned, that this instrument, consisting of seven (7) pages, including the page signed by us as witnesses, was the Testator's, Last Will.

The Testator, to our knowledge, appears to be over eighteen (18) years of age and of sound mind and memory, and we do not know any facts indicating that this instrument or any part of it was procured by duress menace, fraud, or undue influence.

The Testator then signed this Last Will in our presence, and each of us, in the conscious presence of the Testator, signed the Last Will as a witness.

First, we, duly sworn on the above date of this Last Will, declare under penalty of perjury under the laws of the State of Illinois that the preceding is true and correct.

Signature	Print Name
Address:	
Signature	Print Name
Address:	