

## APPENDIX C

### LAST WILL AND TESTAMENT OF

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I, \_\_\_\_\_, a resident of and domiciled in the City, County and State of New York, and a citizen of the United States of America, declare this to be my Last Will and Testament.

**ONE:** A. 1. I give all of my jewelry, wearing apparel and personal effects, furniture, furnishings, books, pictures, paintings and other objects of art, silver, china, glassware, linens and other household effects, automobiles and other vehicles and all other similar tangible personal property, of whatsoever description and wheresoever situate, to my spouse, \_\_\_\_\_, or, if he/she shall not survive me, in equal shares to my children who shall survive me, to be divided among them as they shall agree or, if they shall be unable to agree upon such division or if any of them shall be a minor at the time of my death, as my Executor shall determine in his absolute discretion.

2. If any child of mine shall be a minor at the time of my death, I authorize my Executor, in his absolute discretion, with respect to all or any part of such property to which such child would be entitled, (i) to sell such property and to distribute the proceeds thereof to such child, or (ii) to distribute such property to such child or to the person with whom such child shall reside, or (iii) to store such property and to distribute it to such child when he or she shall attain the age of eighteen years or at such earlier time or times as my Executor shall deem appropriate.

3. Any expenses which may be incurred by my Executor in selling, storing, packing, shipping and insuring any of such tangible personal property, including any expense which may be incurred in delivering such property to the designated beneficiary or beneficiaries thereof, shall be charged against the principal of my estate and treated as an expense of administering my estate.

B. I give all of my right, title and interest in my real property located in \_\_\_\_\_, New York, together with all buildings and improvements thereon and all insurance policies relating thereto, to my spouse, \_\_\_\_\_, if he/she shall survive me.

C. I give all of my right, title and interest in my cooperative apartment \_\_\_\_ located at \_\_\_\_\_, New York, and in and to any proprietary lease for such cooperative apartment and all shares of stock in the corporation owning such cooperative apartment and all insurance policies relating thereto, to my spouse, \_\_\_\_\_, if he/she shall survive me.

**TWO:** All of the rest of my estate, including any legacy or devise which may lapse or be invalid or for any reason fail to take effect, after the payment of debts and expenses (hereinafter referred to as "my residuary estate"), I give to my spouse, \_\_\_\_\_, or, if he/she shall not survive me, to my issue *per stirpes*. If neither my spouse nor any of my issue shall survive me, I give my residuary estate to the \_\_\_\_\_.

**THREE:** I. A. I nominate my spouse, \_\_\_\_\_, as Executor hereunder. If he/she shall fail for any reason to qualify or, having qualified, shall cease for any reason to act, I nominate my friend, \_\_\_\_\_, as Executor in his/her place.