

## ***Holographic Will Instructions – Sell Real Estate:***

*Virginia law allows a person to make a hand written (“holographic”) will. The will has to be absolutely completely and entirely in the handwriting of the person who is making it. It CANNOT be typewritten, written by someone else, etc. What follows is language where one person leaves their entire estate to another person. A holographic will does not have to be witnessed, BUT it’s a good idea to do so.*

*After death, the will may need to be probated. This means that it is taken to the courthouse and placed in the public records. CONSULT A LAWYER BEFORE DOING THIS!*

*The person who is making their own will MUST COPY IN THEIR HANDWRITING the following, putting **their** name and the person they are giving their entire estate to in the appropriate places. If there are witnesses, they should witness the signature being put on the will, and then sign after the person making the will*

### **MY LAST WILL**

I, [NAME OF PERSON MAKING WILL], a resident of [CITY, TOWN OR COUNTY WHERE YOU LIVE], being of sound mind and disposing memory, do hereby make and declare this to be my Last Will and revoke all wills made by me at any time before this.

FIRST: I direct that my body be decently buried and that all my judicially enforceable debts, funeral expenses and costs of administration be paid either from the principal or income of the estate as the Executor sees fit.

SECOND: I give, devise and bequeath all the rest, residue and remainder of my estate, of whatever kind and wheresoever located, whether real, personal or mixed, to my executor and direct that it be sold, converted to cash, and the money divided among [NAME OF PERSONS TO INHERIT THE ESTATE and share, if not equal].

THIRD: I nominate and appoint [NAME OF PERSON TO HANDLE THE ESTATE], Executor of this, my Last Will and Testament, and having full confidence, I direct that no surety be required, and I do give my said Executor full power and authority to sell and convey my real estate for the purpose of carrying out the terms of this, my will, without the purchaser being required to look to the proper application of the purchase money.

I have signed this will on [DATE SIGNED]

[SIGNATURE OF PERSON MAKING WILL]

***IF THERE ARE WITNESSES, ADD THE FOLLOWING LANGUAGE HERE: [YOU NEED AT LEAST TWO (2) WITNESSES]***

We observed [NAME OF PERSON MAKING WILL] say that this was their will, and they then signed it in front of all of us and we have signed it as witnesses, each in the presence of the others.

***WITNESSES THEN SIGN HERE, AND PRINT THEIR NAMES AND ADDRESSES.***