1. 1-11 LN Practice Guide: FL Estate & Probate Practice § 11.51

Client/matter: None
FIRST CODICIL TO THE LAST WILL AND TESTAMENT OF ____________________ [name of testator]

WHEREAS, I, ____________________ [name of testator], a citizen of the United States of America and a resident of and domiciled in the State of Florida, on the ____________________ [date of execution of existing will], executed my Last Will and Testament in the presence of ____________________ and ____________________, as the witnesses (and said will sometimes is hereinafter referred to as “my Last Will and Testament”); and

WHEREAS, I intend by this instrument to amend my Last Will and Testament;

NOW, THEREFORE, I make this First Codicil to my Last Will and Testament and I republish all the terms of that Will dated ____________________ [date of execution of existing will] that do not conflict with this Codicil:

[Include if revoking a provision and substituting another in its place:]

FIRST:

I hereby revoke in its entirety Paragraph ____________________ [number] of Article ____________________ [number] and substitute in its place the following: ____________________ [Paragraph number].

____________________ [Describe change, e.g., I devise the sum of One Thousand Dollars ($1,000) to my friend, ____________________, if living, and if not, to ____________________ (his or her) lineal descendants per stirpes].

[Include if merely adding a provision:]

SECOND:

I hereby add the following new Paragraph ____________________ [number] to Article ____________________ [number]:

____________________ [Paragraph number]. ____________________ [state addition to provision, e.g., I devise my emerald engagement ring to my daughter, Jane, if living; in the event that my daughter predeceases me, I devise my emerald engagement ring to her daughter, Josephine, if living. If neither my daughter nor her daughter is living at the date of my death, this devise shall lapse and pass as part of the residue of my estate].

[CONTINUE WITH:]

IN WITNESS WHEREOF, I, ____________________ [name of testator], execute this instrument, consisting of ____________________ [number] pages, as the First Codicil to my Last Will and Testament dated ____________________ [date of execution of existing will], and on the ____________________ [page number, e.g., second] page I sign my name, this ____________________ [date].

____________________ [signature of testator]

____________________ [name of testator]

Note:

This form may be used to make fairly simple changes to existing dispositive provisions, or to change a personal representative designation, or to amend fiduciary powers. This form deletes a provision in the original will and substitutes another, and adds a provision to the original will.