

## Updating your Will or Living Trust with a Codicil

*If you already have a Will or Living Trust, and wish to make a bequest to Northeast Animal Shelter, this can be done using a "Codicil." A Codicil need not change the terms of your current Will or Living Trust; it can simply add a new instruction.*

*When writing a Codicil, there are a few simple rules:*

- Don't try to change or add anything to your current Will by crossing out or writing in new instructions, as any handwritten changes will not be valid.*
- A Codicil should be used for relatively minor changes.*
- You will need to sign and date the document and have it witnessed by two people just like your Will.*
- It is a good idea to sign your Codicil in front of a notary. This will allow the court to avoid tracking down witnesses if needed to substantiate that the Codicil is valid.*
- Keep the Codicil with, but not attached to, your current Will, in a safe place.*
- Send a copy of the Will and Codicil to your Executor or other trusted friend, with a note indicating where the original is held.*
- Tell any charities named in your Will and Codicil about your bequest.*

*On the next page is an example of a Codicil.*

# Codicil

This is the first\* Codicil to my (Will\*\* or Living Trust) dated \_\_\_\_\_.

1. Clause \_\_\_\_\_ of my (Will\*\* or Living Trust) is modified as follows:

2. I give, devise, and bequeath the sum of \$\_\_\_\_\_

**[or]** the following described property \_\_\_\_\_

**[or]** \_\_\_\_\_% of my estate      **[or]** the residue of my estate

to Northeast Animal Shelter, Inc., 347 Highland Avenue, Salem, MA 01970, tax ID number 51-0183474. In all other respects I confirm my said (Will\*\* or Living Trust) and any existing Codicils thereto.

3. In all other respects, I hereby confirm my (Will\*\* or Living Trust).

IN WITNESS HEREOF, I have signed my name this the \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_,

declaring and publishing this instrument as my Codicil to my (Will\*\* or Living Trust), in the presence of the undersigned witnesses, who witnessed and subscribed this Codicil to my (Will\*\* or Living Trust) at my request, and in my presence.

Signed: \_\_\_\_\_

Testator

WITNESSETH:

SIGNED AND DECLARED BY \_\_\_\_\_ on the above date to be his Codicil to his (Will\*\* or Living Trust), in our presence at \_\_\_\_\_, who at his request, in his presence and in the presence of each other, all being present at the same time, have signed our names as witnesses.

Witnessed By: \_\_\_\_\_

Witness' Signature

\_\_\_\_\_  
Address

Witnessed By: \_\_\_\_\_

Witness' Signature

\_\_\_\_\_  
Address

AFFIDAVIT

I, \_\_\_\_\_, the undersigned Testator, do hereby declare that I signed and executed this instrument as my Codicil to my (Will\*\* or Living Trust), that I signed it willingly in the presence of each of said witness, and that I execute it as my free and voluntary act for the purposes herein expressed.

\_\_\_\_\_  
Testator's Signature

We, the undersigned witnesses, each do hereby declare in the presence of the aforesaid Testator that the Testator signed and executed this instrument as his Codicil to his (Will\*\* or Living Trust) in the presence of each of us, that he signed it willingly, that each of us hereby signs this Codicil to his (Will\*\* or Living Trust) as witness in the presence of the Testator, and that to the best of our knowledge the Testator is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

\_\_\_\_\_  
Witness' Signature

\_\_\_\_\_  
Witness' Signature

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, before me a notary public, personally appeared the said Testator and said witnesses, each of whom proved to me through satisfactory evidence of identification to be the person whose name is signed on this instrument, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

(Seal)

Signed \_\_\_\_\_

\* Please indicate what number this Codicil is.

\*\* Insert either "Will" or "Living Trust."

*Note – this is an example only. Please consult with your attorney. Requirements may vary by state.*