

**IN THE PROBATE COURT OF
MONTGOMERY COUNTY, ALABAMA**

IN THE MATTER OF THE LAST WILL AND TESTAMENT AND CODICIL(S) OF:

DECEASED:

CASE NO. _____ - _____

**PROOF OF _____ CODICIL
(ALL WAIVERS FILED)**

COMES NOW, _____, whose residence is at a lesser distance than one hundred (100) miles from the Montgomery County Probate Court, and is a Witness to the _____ Codicil to the Last Will and Testament of _____, Deceased, dated _____ and witnessed by _____ and _____. Said witness having personally appeared before a Notary Public and been first duly sworn and examined, does depose and says:

- 1) That they are one of the subscribing witnesses to the foregoing instrument in writing, now shown and which purports to be the _____ Codicil to the Last Will and Testament of said deceased, as listed above.
- 2) That said testator, declared the same to be his/her _____ Codicil to the Last Will and Testament and signed and executed said instrument (or the _____ codicil was signed in the testator's name by some other person in the testator's presence at his/her direction) on the day the same bears date, in the presence of the subscribing witness (es) or their acknowledgment of the signature by the testator.
- 3) That in the opinion of the witness, the testator was fully capable of making a _____ codicil to the Last Will and Testament at the time it was executed. In addition, the testator executed said _____ codicil to the Last Will and Testament as their free and voluntary act for the purposes therein expressed and was on the day of the date of said _____ codicil to the Last Will and Testament, eighteen years or older, of sound mind and under no constraint or undue influence.

DONE this _____ day of _____, 20_____.

(Signature of Witness to _____ Codicil)

Address: _____

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public in and for said County and State, hereby certify that _____ whose name is signed to the foregoing Proof of _____ Codicil to the Last Will and Testament of said decedent, and who is known to me, acknowledged before me on this day that, being informed of and understanding the contents of the Proof of _____ Codicil to the Last Will and Testament of said decedent, he/she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the _____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires: _____

NOTE: This form can only be used if all waivers are obtained from the next of kin and witness resides less than 100 miles from the Montgomery County Probate Court.