



SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF _____

PROBATE PROCEEDING, WILL OF

a/k/a

Deceased.

**AFFIDAVIT OF ATTESTING WITNESS
(After Death)
(Pursuant to SCPA 1406)**

File No. _____

STATE OF _____
COUNTY OF _____

} ss.:

The undersigned witness, being duly sworn, deposes and says:

1. I have been shown:

the original instrument dated _____,

a court certified photographic reproduction of the original instrument dated _____,
purporting to be the last Will and Testament/Codicil of the above-named decedent.

2. On the date indicated in such instrument (under the supervision of an attorney,
_____, Esq./ None), I saw the decedent subscribe the
same at the place where decedent's signature appears, and I heard the decedent declare such instrument to
be his/her last Will and Testament/Codicil.

3. I thereafter signed my name to such instrument as a witness thereto at the request of the decedent
and in the presence of the decedent, and I saw the other witness(es)

_____ sign his/her/their name(s) at the end of such instrument as a witness thereto.

4. At the time the decedent subscribed and executed such instrument, the decedent was to the best of
my knowledge and belief upwards of 18 years of age, and in all respects appeared to be of sound and
disposing mind, memory and understanding, competent to make a will, and not under any restraint.

5. The decedent could read, write and converse in the English language, and was not suffering from
defects of sight, hearing or speech, or any other physical or mental impairment, which would affect his/her
capacity to make a valid will. The purported instrument was the only copy of said Will/Codicil executed on that
occasion, and was not executed in counterparts.

6. I am making this affidavit at the request of _____.

Witness Signature

Print Name

Street Address

City, Village, or Town

State

ZIP Code

Country

Sworn to before me this

_____ day of _____

Notary Public

Commission Expires:

(Affix Notary Stamp or Seal)

[NOTE: Each witness must be shown either the Original Will or a Court-Certified Reproduction thereof. The Notary Public subscribing to the Affidavit may not be a party or witness to the Will.]