633.279 Signed and witnessed.

1. Formal execution. All wills and codicils, except as provided in section 633.283, to be valid, must be in writing, signed by the testator, or by some person in the testator’s presence and by the testator’s express direction writing the testator’s name thereto, and declared by the testator to be the testator’s will, and witnessed, at the testator’s request, by two competent persons who signed as witnesses in the presence of the testator and in the presence of each other; provided, however, that the validity of the execution of any will or instrument which was executed prior to January 1, 1964, shall be determined by the law in effect immediately prior to said date.

2. Self-proved will.

a. An attested will may be made self-proved at the time of its execution, or at any subsequent date, by the acknowledgment thereof by the testator and the affidavits of the witnesses, each made before a person authorized to administer oaths and take acknowledgments under the laws of this state, and evidenced by such person’s certificate, under seal, attached or annexed to the will, in form and content substantially as follows:

Affidavit

State of.................................. )
County of.................................. ) ss

We, the undersigned, .................................., .................................. and
.................................., the testator and the witnesses, respectively,
whose names are signed to the attached or foregoing instrument,
being first duly sworn, declare to the undersigned authority that
at the date of the instrument, we all knew the identity of each
other; the instrument was exhibited to the witnesses by the testator,
who declared it to be the testator’s last will and testament and
was signed by the testator or by another at the direction of the
testator at .................................., in the County of ..................................
State of .................................., on the date shown in the instrument, and
in the presence of each other as subscribing witnesses; that we,
as witnesses, declare to the undersigned authority that in our
presence the testator executed and acknowledged such will as
the testator’s will and that we, in the testator’s presence, at the
testator’s request, and in the presence of each other, did subscribe
our names thereto as attesting witnesses on the date of such will;
and that the witnesses were sixteen years of age or older.

..................................
Testator

..................................
Witness

..................................
Witness

Subscribed, sworn and acknowledged before me by
.................................., the testator; and subscribed and sworn before
me by .................................. and .................................., witnesses, this
........... day of ................. (month), ........... (year)

..................................

Signature of notarial
officer

(Stamp)

[..............]
Title of office
b. A self-proved will shall constitute proof of due execution of such instrument as required by section 633.293 and may be admitted to probate without testimony of witnesses.

[C51, §1281; R60, §2313; C73, §2326; C97, §3274; C24, 27, 31, 35, 39, §11852; C46, 50, 54, 58, 62, §633.7; C66, 71, 73, 75, 77, 79, 81, §633.279]


Referred to in §622.1