

1760

# Last Will and Testament

OF

THOMAS MOORE POE, JR.

123142

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned THOMAS MOORE POE, JR., a resident of Jefferson County, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, hereby expressly revoking any and all other Wills and Codicils thereto, heretofore made by me.

## ITEM ONE

I will and direct that all of my just debts and charges against my estate be paid by my Executrix hereinafter named as soon after my death as is convenient.

## ITEM TWO

In the event my wife, CHARLOTTE WASHINGTON POE, survives me, I give, devise and bequeath unto her all of my property of whatsoever kind or character, the same to be hers absolutely and unconditionally.

## ITEM THREE

In the event my wife, CHARLOTTE WASHINGTON POE does not survive me then I give, devise and bequeath all of the real property in my estate to my children JEFFREY LEE POE and JAMIE LYNN HELMS, share and share alike per stirpes. It is my expressed intention that the term per stirpes as used herein shall be given the same meaning and interpretation as that applied by Alabama Law prior to January 1, 1983. All liquid assets (cash, savings accounts, checking accounts, insurance awards, money market funds, etc.), I give, devise and bequeath in the following manner: 45% to my daughter, JAMIE LYNN HELMS or her heirs, share and share alike; 45% to my son, JEFFREY LEE POE or his heirs, share and share alike; and 10% to

BOOK 165 PAGE 130  
Thomas Moore Poe Jr

JUL 10 1987  
1019  
Page 871

WITNESSED in my office this \_\_\_\_\_ day of \_\_\_\_\_, 1987  
Joy of \_\_\_\_\_  
for Probate and Record  
Judge of Probate

SHADES MOUNTAIN INDEPENDENT MINISTRIES FOUNDATION, 2281 Old Tyler Road, Birmingham, Alabama. I give, devise and bequeath all my jewelry, china and silver to my daughter, JAMIE LYNN HELMS and the gun collection I give, devise and bequeath to my son, JEFFREY LEE POE. The rest residue and remainder of my estate be it personal or mixed I leave to my children, share and share alike per stirpes.

ITEM FOUR

I nominate and appoint CHARLOTTE WASHINGTON POE as the Executrix of this my Last Will and Testament and request that she be permitted to qualify and serve without bond or without filing an inventory of my estate with any Court. In the case of the death, incapacity, or refusal to act of the said CHARLOTTE WASHINGTON POE, I nominate and appoint JEFFREY LEE POE and JAMIE LYNN HELMS or the survivor of them as Executors in her place and request that they be permitted to qualify and serve without bond or without filing an inventory of my estate with any Court.

I hereby grant to my Executors hereinabove named the power to sale the property coming into their hands be it real or personal if, in the discretion of the Executors, a sale of the estate property is necessary to pay my last debts, debts of the estate or estate taxes.

ITEM FIVE

IN WITNESS WHEREOF, I have hereunto set my signature and seal to this my Last Will and Testament and have identified the preceeding One (1) page hereof by writing my name on the margin of such page which, together with this page and the following page, constitutes my Last Will and Testament on this the 20 day of January, 1984.

  
THOMAS MOORE POE, JR.

THOMAS MOORE POE, JR. in our presence and in the presence of each of us declared the foregoing to be his Last Will and Testament, and signed the same in our presence and in

the presence of each of us, and we at his request subscribed our names as attesting witnesses to said Will on the day the same bears date.

WITNESSES:

Conelia Bristol Morgan  
Address 3002 2nd St. N.  
Bham, AL. 35207

Anna Van Hook  
Address 201 2nd St. N. W.  
Bham, AL. 35203

I, THOMAS MOORE POE, JR., the Testator sign my name to this instrument this the 30th day of January, 1984, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my LAST WILL AND TESTAMENT, and that I sign it willingly, that I execute it as my free and voluntary act for the purpose therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Thomas Moore Poe Jr.  
THOMAS MOORE POE, JR.

Anna Van Hook Conelia Bristol Morgan and  
We, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his last will and that he signs it willingly, and that each of us, in the presence and hearing of the Testator, hereby signs this will as witness to the Testator's signing, and that to the best of our knowledge the Testator is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Conelia Bristol Morgan  
Witness

Anna Van Hook  
Witness

STATE OF ALABAMA  
JEFFERSON COUNTY

Subscribed, sworn to and acknowledged before me by THOMAS MOORE POE, JR., the Testator and subscribed and sworn to before me by Conelia Bristol Morgan and Anna Van Hook witnesses, this 30th day of January, 1984.

SEAL

J. O. 74  
Notary Public

Commission expires  
8/27/86

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama  
JEFFERSON COUNTY

I, O. H. Florence, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument — of writing has — this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament — of — Thomas Moore Poe, Jr. Deceased and that said Will —

together with the proof thereof have been recorded in my office in Judicial Record, Volume  $\frac{1023}{1019}$ , Page  $\frac{419}{871-873}$

In witness of all which I have hereto set my hand, and the seal of the said Court, this date May 8, 1987.

*O. H. Florence* Judge of Probate.

PROBATE-00

IN THE MATTER OF THE ESTATE OF

THOMAS MOORE POE, JR.,

Deceased

IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA

MAY

TERM 1987

CASE NO. 123142

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Charlotte Washintgon Poe and filed  
a petition in writing, under oath, therewith producing and filing in this court an instrument of writing pur-  
porting to be the last will and testament of Thomas Moore Poe, Jr.  
deceased, bearing date the 30th day of January, 19 84,  
and attested by Conelia Bristol Morgan and Donna Van Hook;  
and praying that the same be probated as provided by law; that petitioner  
is the widow of said deceased, and is  
named in said will as execut rix thereof; and that the next of kin of said deceased are as follows,  
to-wit: Jeffrey Lee Poe, son, Lake Charles, Louisiana and  
Jamie P. Helms, daughter, Birmingham, Alabama,  
nineteen  
each of whom is over ~~twenty~~ years of age, and of sound mind.

And thereupon comes each of the above named next of kin expressly waiving all notice of the  
petition to probate said will and consenting that the same be probated at once, and the court having as-  
certained by sufficient evidence that the signature S affixed to said waiver S of notice and  
acceptance S of service are the genuine signature S of said next of kin;  
now, on motion of said petitioner, the court proceeds to hear said petition; and, after due  
proof and hearing had according to the laws of this state, the court is satisfied and is of the opinion that  
said instrument is the genuine last will and testament of said deceased, and that such instrument should  
be probated as the last will and testament of said deceased. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the court that said instrument be duly admitted to  
probate as the last will and testament of said Thomas Moore Poe, Jr.,  
deceased, and ordered to be recorded together with the proof thereof and all other papers on file relating  
to this proceeding. It is further ordered that petitioner, pay the costs of this proceeding.

DONE this date, May 8, 1987.

O. W. Lawrence  
Judge of Probate

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF  
JEFFERSON COUNTY,  
ALABAMA

MAY TERM 1987

THOMAS MOORE POE, JR.

### Deceased

CASE NO. 123142

## LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:

That the will of the above-named deceased having been duly admitted to record in said County, Letters Testamentary are hereby granted to CHARLOTTE WASHINGTON POE

Execut rix named in said will, who has \_\_\_\_\_ complied with the requisitions of law and who is authorized to take upon herself the execution of such will.

Witness my hand this date, May 8, 1987

Attest:

**Judge of Probate**

I, \_\_\_\_\_, Chief Clerk of the Court of Probate of Jefferson County,  
Alabama, hereby certify that the foregoing is a true, correct and full copy of the Letters Testamentary issued in the  
above-styled cause as appears of record in said Court. I further certify that said Letters are \_\_\_\_\_  
in full force and effect.

Witness my hand and seal of said Court this date, -

**Chief Clerk**

CERTIFICATE TO COPIES

The State of Alabama  
JEFFERSON COUNTY

PROBATE COURT

I, Peggy A. Proctor, Chief Clerk of the Court of Probate,

in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the  
Last Will and Testament of Thomas Moore Poe, Jr., deceased, together  
with the Certificate to the Probate thereof; the Order Probating  
Will; Letters Testamentary which are still in full force and effect;  
and the Decree on Partial Settlement

in the matter of the Estate of Thomas Moore Poe, Jr., Deceased,

as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this

the 16th day of December, 19 87

Peggy A. Proctor

Chief Clerk

IN THE MATTER OF:  
THE ESTATE OF:  
THOMAS MOORE POE, JR.,  
DECEASED

IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA  
DECEMBER TERM 1987  
CASE NO. 123142

DECREE ON PARTIAL-CONSENT SETTLEMENT

Now on this day comes Charlotte Washington Poe, as Executrix of the estate of Thomas Moore Poe, Jr., deceased, and presents to the Court, under oath, her petition for a partial-consent settlement of said estate, and moves the Court to proceed with the hearing of said petition.

It further appears to the Court that Charlotte Washington Poe, is the sole beneficiary under the will of said decedent and that in compliance with the terms of said will, said petitioner as Executrix, has received, collected and turned over to herself, individually, all rents, moneys and personal property of every description belonging to said decedent's estate, and has taken charge and possession of all real estate belonging to said estate and is now in her possession as the sole beneficiary under said will, but excluded from this settlement is the unsecured note to First National Bank of Columbiana, in the amount of approximately \$25,000.00, plus interest.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that said petition be and the same is granted and ordered recorded.

DONE this the 16th day of December, 1987.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

87 DEC 29 PM 12:12

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

*O. J. Lawrence*  
Judge of Probate

RECORDING FEES

Recording Fee \$ 20.00  
Index Fee 1.00  
TOTAL \$ 21.00