

STATE OF ALABAMA)
SHELBY COUNTY)

Inst # 1994-05140

02/15/1994-05140
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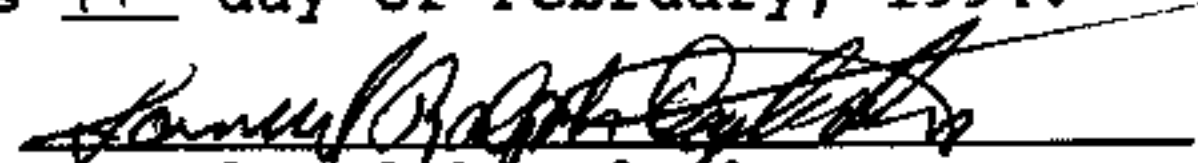
Samuel Ralph Oglesby, after first being duly sworn deposes and states as follows:

My name is Samuel Ralph Oglesby. I was married to Carroll ~~OGLESBY~~ AKA CAROL ROSE YUNKE OGLESBY up until her death on August 12, 1992. At that time Carroll Oglesby and I were residents of the state of Mississippi. We were the owners of the South 1/2 of the SE 1/4 of Section 7, Township 20, Range 2 West, Shelby County, Alabama, said ownership being created by a warranty deed conferring title upon us as tenants in common. ~~CARROLL OGLESBY WAS ONE AND THE SAME PERSON CAROL ROSE YUNKE OGLESBY.~~

Carroll Oglesby and I had two children and no others. Our children are Nancy Oglesby Adams and Sam Jim Oglesby. ~~CARROLL OGLESBY~~ AKA SAMUEL JIM OGLESBY Carroll Oglesby had no other children other than Nancy Oglesby Adams and Sam Jim Oglesby. ~~OGLESBY~~ AKA CAROL ROSE YUNKE OGLESBY

Carroll Oglesby died leaving a will. This will was not submitted to probate in the state of Mississippi or in any state. All of the debts of Carroll Oglesby have been paid. A true copy of the will of Carroll Oglesby ~~OGLESBY~~ AKA CAROL ROSE YUNKE OGLESBY is attached hereto and incorporated by reference herein as Exhibit "A". ~~SAMUEL JIM OGLESBY IS ONE AND THE SAME PERSON AS SAM JIM OGLESBY.~~


IN WITNESS WHEREOF, the undersigned, SAMUEL RALPH OGLESBY has hereunto set his hand and seal this 11 day of February, 1994.


Samuel Ralph Oglesby

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, JAMES F. BURFORD III, a notary public in and for said county, in said state, hereby certify that SAMUEL RALPH OGLESBY, whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of this Affidavit, he executed the same voluntarily.

Given under my hand and official seal this the 11th day of February, 1994.


Notary Public
My Commission Expires: 3-1-94

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EXHIBIT A

LAST WILL AND TESTAMENT
OF
CAROL ROSE YUNKE OGLESBY

I, CAROL ROSE YUNKE OGLESBY, an adult resident citizen of Utica, Hinds County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

ITEM I.

I appoint my husband, SAMUEL RALPH OGLESBY, of Utica, Mississippi, as Executor of my Estate under this Will. I direct my Executor to pay all of my just debts and obligations which may be probated, registered and allowed against my estate as soon as may be conveniently done.

ITEM II.

My husband's name is SAMUEL RALPH OGLESBY, and he is sometimes referred to herein as "my husband." I have two (2) children now living and they are:

NANCY LOUISE ADAMS and

SAMUEL JIM OGLESBY.

They are herein referred to as "my children."

ITEM III.

I give, devise and bequeath my entire estate to my husband, SAMUEL. If my husband shall not survive me, then I devise and bequeath the residue of my estate to my children, in equal shares. If either of my children shall not be living at the time any distribution to my children is required under any provision of this Will, the interest of such deceased child shall be distributed to his or her children, per stirpes. If such

deceased child has no surviving descendants, the interest shall be distributed to my other child, per stirpes.

ITEM IV.

A. In the event my husband, SAMUEL, is or becomes unable or unwilling to serve as my Executor, I appoint my daughter, NANCY LOUISE ADAMS, to serve as my successor Executor. All rights, powers, duties and discretions granted to or imposed upon my Executor shall be exercisable by and imposed upon any successor Executor or Administrator. Where used throughout this Will, the terms "Executor" and "Administrator" may be used interchangeably and shall apply to whoever may be serving as personal representative of my estate, whether one or more than one.

B. I direct that neither my Executor nor any successor Executor shall be required to make any bond as Executor. To the extent permissible by law, I waive the requirement that my Executor or any successor Executor be required to make a formal appraisal, provide an inventory or file an accounting for my estate with any court.

C. My Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will without respect to the income tax basis of the property. In making a selection, my Executor is excused from any duty of impartiality with respect to the income tax basis of the property.

D. No person dealing with my Executor shall be obligated to see to the application of any moneys, securities, or other property paid or delivered to my Executor, or to inquire into the expediency or propriety of any transaction or the authority of my Executor to enter into and consummate the transaction upon such terms as my Executor may deem advisable.

E. My Executor shall have the power to disclaim any part or all of my interest in any property which is or has been devised or bequeathed to me, whether outright or in trust, provided such

disclaimer is made within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1954, as amended, or corresponding provisions of any future law.

F. In order to avoid depreciation in value of the interests or losses to my estate or my business associates, my Executor shall have authority to continue any business operations in which I am engaged at my death for the time permitted by law. My Executor may continue to act as a partner, engage in any partnership, and take all actions with regard to any partnership my Executor deems advisable.

G. I specifically authorize my Executor to borrow such funds as may be necessary to pay my debts, administration expenses, and taxes of my estate; and to pledge such of my property, real or personal, as may be necessary to secure such loan. However, my Executor shall not pledge any property specifically devised or bequeathed herein. My Executor shall not be required to pay or otherwise satisfy such loan prior to the closing of my estate and the discharge of my Executor, but in satisfaction of any bequest herein, my Executor may distribute such property at its value net of such loan.

H. My Executor shall not be required to reduce any or all of my personal or real property to cash during the administration of my estate, but in my Executor's discretion may sell only so much of my property as is necessary to obtain cash to pay taxes, debts and costs of the administration of my estate. After the payment of debts, taxes and costs, in the sole discretion of my Executor, my Executor is authorized to make distributions to devisees and legatees either in cash or in kind or a combination of each.

I. I further nominate and appoint my Executor herein named to petition the proper Court and to take all necessary action to effect an ancillary administration covering any property I may own in Louisiana, Alabama, or in any other state. I direct that

no bond or other security shall be required of my Executor named herein, nor shall my Executor be required to file an inventory or accounting with any court in any foreign jurisdiction. If the laws of Louisiana, Alabama, or any other foreign jurisdiction in which I may own property, require that a resident of that state serve as Executor or Administrator in any ancillary proceeding by my estate, my Executor shall have the power and right to select and designate a proper party resident of the foreign jurisdiction involved to serve with the Executor of my estate as Co-Administrators. In such event, the Co-Administrators shall not be required to post any bond or other security or file any accounting or inventory with any court in the foreign jurisdiction. -

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J. My Executor shall not be obligated to probate this Will if all beneficiaries of my estate agree as to the disposition of my estate.

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 10 day of December, 1985.

Carol R. Y. Oglesby
Carol Rose Yunke/Oglesby

This instrument was, on the day and year shown above, signed, published and declared by CAROL ROSE YUNKE OGLESBY to be her Last Will and Testament in our presence, and we have subscribed our names as witnesses in her presence and in the presence of each other.

[Signature]
Witness

of

Address 133 Windy Hill Cove
Raymond, MS 39154

Nancy Adams
Witness

of

Address 133 Windy Hill Cove
Raymond, MS 39154

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