

163897

Last Will and Testament

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

KNOW ALL MEN BY THESE PRESENTS, That I, WILLIAM H. PARKER, also known as BILLY H. PARKER, an adult resident citizen of Jefferson County, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all wills, or codicils thereto, heretofore made by me.

As to my worldly estate, and all the real, personal and mixed property of which I may die seized and possessed, or to which I may be entitled at the time of my death, or to which my estate may become entitled after my death, or over which I may have any power of disposition, I devise, bequeath and dispose thereof in the manner following, to-wit:

ITEM ONE: I desire and I hereby direct that all of my legal debts, including the costs of administration of my estate and the expenses of my last illness and funeral, be paid out of my estate as soon after my death as practicable by my Executrix, or, as the case may be, my alternate Executrix, both hereinafter named.

ITEM TWO: I hereby give, bequeath and devise in fee all of my worldly estate, after the payment of my legal debts as provided in the foregoing Item One, all real, personal and mixed property of which I may die seized and possessed, or to which I may be entitled at the time of my death, or to which my estate may become entitled after my death, or over which I may have any power of disposition, unto my wife, BETTY A. PARKER, who is made my sole beneficiary hereunder, if she survives me, notwithstanding the fact that I have children.

ITEM THREE: If my said wife shall predecease me, or shall die at the same time as I, then, in either of such events, Item Two of this my Last Will and Testament shall be null and void, and I hereby give, bequeath

FILED IN OFFICE THIS 1 DAY OF
July, 19 98, FOR PROBATE
AND RECORD.

George L. Reynolds
JUDGE OF PROBATE

Inst # 1998-31157

08/12/1998-31157
12:30 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

Inst # 1998-31157

and devise in fee all of my said worldly estate, after the payment of my legal debts as above provided, and after the payment of any Federal and State Estate taxes, all real, personal and mixed property of which I may die seized and possessed, or to which I may be entitled at the time of my death, or to which my estate may become entitled after my death, to my Trustee hereinafter named, in trust for the use and benefit of my three children, namely, TIMOTHY HAROLD PARKER, my son; SUSAN ANN PARKER, my daughter; and PATTI LEIGH PARKER, my daughter; in equal shares.

ITEM FOUR: I hereby nominate, constitute and appoint as Guardian of those of my said three children who are still minors at the time of my death, and as Trustee of my property given, bequeathed and devised in fee unto my three said children in the preceding paragraph hereof, my sister-in-law, MARY A. RIORDAN.

It is my will and I hereby direct that the trust set up and provided for in Item Three hereof, shall be for the following uses and purposes: To invest and manage said trust estate in the manner which my Trustee deems most beneficial to said trust estate and to the beneficiaries named therein. Said Trustee shall have full and complete power to sell, convey, mortgage, lease, invest and reinvest the same as an owner would have, but always as my Trustee.

I hereby expressly empower the said Trustee to make payments from the income and principal of my estate to my said children, or to others for and on their behalf (but out of each child's respective share thereof) at any time and under any circumstances that my said Trustee at her sole discretion deems it advisable. It is my will and desire that my said Trustee shall have the power and authority to spend any sum, in her sole discretion, for the care, maintenance and education of each of my said children, as she may deem advisable, limited only as to the respective share of each said child.

JR 1618 PG 458

I hereby authorize and empower the Trustee in her sole and
at
absolute discretion/any time and from time to time to disburse from the
principal of any of the three trust estates created herein (even to the point
of exhausting same) such amounts as she may deem advisable to provide
adequately and properly for any emergency or extraordinary expense of the
income beneficiary thereof, including, but not by way of limitation, expenses
incurred by reason of illness, disability or education. In determining the
amounts of principal to be so disbursed, the Trustee shall take into consideration
any other income or property which such income beneficiary may have from
any other source, and the Trustee's discretion shall be conclusive as to the
advisability of any such disbursement and the same shall not be questioned
by anyone. For all sums so disbursed, the Trustee shall have full acquittance.

As each of my said three children shall reach the age of thirty
(30) years, then this trust shall terminate as to such child, and at which time,
the Trustee shall distribute the balance of his or her share to such child in fee.
If any of my said children shall have reached his or her 30th birthday prior
to when such trust fund is directed to be set apart for him or her, the Trustee
shall distribute to such child all of his or her trust fund, instead of holding the
same in trust, and the trust shall terminate as to such child. If any of my
said three children shall predecease me, or shall die before the entire corpus
of his or her fund has been distributed to him or her in fee, then in either of
such events, this trust shall terminate as to such deceased child and/or become
null and void, and/or lapse, and the whole of such trust, or, as the case may
be, the remainder thereof, shall be added to and augment the property trust
estates herein created for the use and benefit of those of my said children who
are still surviving.

ITEM FOUR: The Guardian and Trustee heretofore named for my
said children shall not be required to give bond, or file any inventory, or
appraisement of my trust estate, or make a final settlement of my estate in
any Court. Said named Guardian and Trustee shall be free from the control
and supervision of the Probate Court or any other Court in the exercise of the

JR 1618 PG 459

foregoing provisions.


ITEM FIVE: I hereby nominate, constitute and appoint my wife, BETTY A. PARKER, to be the Executrix of this my Last Will and Testament. If my said wife shall predecease me, or for any reason shall fail to qualify as Executrix hereunder, or having qualified, shall die or resign, then, and in such event, I hereby nominate, constitute and appoint my sister-in-law, MARY A. RIORDAN, as alternate Executrix of this my Last Will and Testament.

I hereby direct that neither my said Executrix, nor, as the case may be, my said alternate Executrix, as the case may be, shall be required to give or furnish any bond, or other security, in any jurisdiction, or file any inventory, or make any accounting and/or settlement in or with any court as to the administration of the affairs of my estate. I hereby vest in my said Executrix, or, as the case may be, my said alternate Executrix, full power and authority to sell, transfer and convey any and all property owned by me, real, personal and mixed, at public or private sale, without order of court, and to exercise with respect thereto any and all of the rights and powers which I myself would possess and might exercise if I still survived, and to do every other act or thing necessary or appropriate to the complete administration of this Will.

IN WITNESS WHEREOF, I, the said WILLIAM H. PARKER, also known as BILLY H. PARKER, have to this, my Last Will and Testament, consisting of this and the three preceding pages, subscribed my name and affixed my seal, this the 4TH day of August, 1972.


William H. Parker SEAL

We, the undersigned, hereby certify that the above named testator subscribed his name to the foregoing instrument, consisting of three pages, in our presence and published and declared the same to be his Last Will and Testament, and we, at the same time, at his request, and in his presence, and in the presence of each other, have hereunto signed our names as subscribing witnesses.

	Address <u>3204 Brookwood Rd</u> <u>MT. BROOK, ALA</u>
<u>Alice Crum</u>	Address <u>1317 1/2 W Blount Ave.</u>
<u>Anne Whaley</u>	Address <u>2277 Pine Creek Dr.</u> <u>Birmingham, Ala</u>

163897

JR 1618 PG 460

CERTIFICATE TO THE PROBATE OF WILL

163897

The State of Alabama

JEFFERSON COUNTY

I, George R. Reynolds, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing ha s 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 WILLIAM H. PARKER aka BILLY H. PARKER Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume JR 1618, Page 456-459

In witness of all which I have hereto set my hand, and the seal of the said Court, this date 7/1/98

George R. Reynolds

, Judge of Probate.

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 & TESTAMENT OF WILLIAM H. PARKER AKA BILLY H. PARKER
AND CERTIFICATE TO THE PROBATE OF WILL**

1998-3115
 08/12/1998-3115
 12:30 PM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 22.00
 006 HEL

in the matter of **THE ESTATE OF WILLIAM H. PARKER AKA BILLY H. PARKER, DECEASED**

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

Given under my hand and seal of said Court, this
the 6 day of AUGUST, 19 98

Peggy A. Proctor

Chief Clerk

The State of Alabama
Jefferson County

Probate Court

In Re

Fee _____