20060208000064290 1/10 \$38.00 Shelby Cnty Judge of Probate, AL 02/08/2006 10:01:36AM FILED/CERT

LAST WILL AND TESTAMENT

OF

Case #04-236

JOHN B. BATES

I, JOHN B. BATES, of Dale County, Alabama, declare this to be my will, and I revoke all prior wills and codicils that I have made. At the time of the execution of this my last will and testament I am married to MARY REBECCA BATES. I have no children.

ARTICLE I

All estate and inheritance taxes (including interest and penalties, if any), together with the expenses of my last illness and all administration expenses, including an appropriate marker for my grave, payable in any jurisdiction by reason of my death (including those taxes and expenses payable with respect to assets which do not pass under this will) shall be paid out of and charged generally against the principal of my residuary estate, without apportionment. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes and administration expenses, except my executor shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of federal or state estate tax attributable to property in which I have a qualifying income interest for life, over which I have a power of appointment, or which is included in my gross estate by reason of Section 2036 of the Internal Revenue Code of 1986, as from time to time amended ("Code"), and which tax is not otherwise paid or payable. Any generation-skipping tax resulting from a transfer occurring under this will shall be charged to the property constituting the transfer in the manner provided by applicable law.

ARTICLE II

A. I give all the tangible personal property that I own at my death, including any household furniture and furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, club memberships and stadium certificates, wearing apparel, and other articles of household or personal use or ornament, together with any insurance on any specific item, to MARY REBECCA BATES ("my spouse").

Recorded In Above Book and Page 12/13/2004 03:54:55 PM Eunice Hagler Probate Judge Dale County, Alabama

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B. All costs of safeguarding, insuring, packing, and storing my tangible personal property before its distribution and of delivering each item to the place of residence of the beneficiary of that item shall be deemed to be expenses of administration of my estate.

ARTICLE III

I give all my residuary estate, which shall not include any property over which I have power of appointment, to my spouse.

ARTICLE IV

A. I name my spouse as executor of this will. No executor of this will shall be required to furnish bond or other security as executor.

B. If the appointment of an executor of my estate is necessary or desirable in any jurisdiction in which no executor herein named is able and willing to act, I appoint as my executor in that jurisdiction such person or corporation as may be designated in an instrument signed by my spouse, that executor to serve without bond, or if bond is required, without surety thereon, and to have all the powers and discretion with respect to my estate in that jurisdiction that are set forth or referred to in paragraph C of this Article, to be exercised without court order. As used in this will, the terms "executors" and "executor" designate any court-appointed fiduciaries or fiduciary of my estate from time to time qualified and acting in any jurisdiction.

C. In addition to all powers granted by law, I give my executor power, exercisable in the discretion of my executor and without court order, to retain, sell (at public or private sale), exchange, lease for any term (even though commencing in the future or extending beyond the date of final distribution of my estate), mortgage, pledge, or otherwise deal for any purpose with the property, real or personal, from time to time comprising my estate, for such consideration and on such terms (with or without security) as my executor shall determine; to invest and reinvest my estate and proceeds of sale of any portion thereof in such loans, stocks, or other securities, mortgages, investment companies or trusts, whether of the open and/or closed fund types, interests in general, limited or special partnerships, common trust funds, or other property as they may consider suitable, whether

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Eunice Hagler
Probate Judge
Dale County, Alabama

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or not a so-called "legal" investment of trust funds, and to change investments and to make new investments from time to time as to my executor may seem necessary or desirable; to borrow money for any purpose, at interest rates then prevailing, from any individual, bank, or other source, irrespective of whether that lender is then acting as an executor; to compromise or abandon any claims in favor of or against my estate; to hold any property in the name of a nominee or in bearer form; to employ accountants, depositories, attorneys, and agents (with or without discretionary powers); to execute contracts, notes, conveyances, and other instruments, including instruments containing covenants and warranties binding upon and creating a charge against my estate, and containing provisions excluding personal liability; to make distributions wholly in cash or in kind, or partly in each; to allot different kinds or disproportionate shares of property or undivided interests in property among the beneficiaries; and to determine the value of any property distributed in kind.

D. I empower my executor (i) to make such elections under the tax laws as my executor deems advisable, including an election to create qualified terminable interest property for both estate and generation-skipping tax purposes or for estate tax purposes alone, and (ii) to allocate the unused portion, if any, of my GST exemption (as defined in this paragraph) to any property with respect to which I am the transferor for generation-skipping tax purposes (irrespective of whether such property passes under this will) in such manner as my executor deems advisable, in each case without regard to the relative interests of the beneficiaries; however, my executor shall not make adjustments between principal and income, or in the interests of the beneficiaries, to compensate for the effects of such elections and allocation. Any decision made by my executor with respect to the exercise of any tax election or the allocation of my GST exemption shall be binding and conclusive on all persons. As used in this paragraph, the "GST exemption" means the exemption from generation-skipping tax allowed under Section 2631 of the Code.

E. To the extent that such requirements can be legally waived, no executor shall be required to file an inventory or appraisal, or account to any court, or obtain the order or approval of any court before exercising any power or discretion granted in this will.

3-

WILL 49 110
Recorded In Above Book and Page
12/13/2004 03:54:55 PM
Eunice Hagler
Probate Judge
Dale County, Alabama

20060208000064290 4/10 \$38.00 Shelby Cnty Judge of Probate, AL 02/08/2006 10:01:36AM FILED/CERT

F. I also give my executor power, exercisable in the discretion of my

executor and without court order, to (i) conduct environmental assessments, audits, and site

monitoring to determine compliance with any environmental law or regulation thereunder;

(ii) take all appropriate remedial action to contain, clean up or remove any environmental

hazard including a spill, release, discharge or contamination, either on its own accord or in

response to an actual or threatened violation of any environmental law or regulation

thereunder; (iii) institute legal proceedings concerning environmental hazards or contest or

settle legal proceedings brought by any local, state, or federal agency concerned with

environmental compliance, or by a private litigant; (iv) comply with any local, state or

federal agency order or court order directing an assessment, abatement or cleanup of any

environmental hazards; and (v) employ agents, consultants and legal counsel to assist or

perform the above undertakings or actions.

G. No executor shall be liable for any loss or depreciation in value

sustained by the estate as a result of the executor retaining any property upon which there

is later discovered to be hazardous materials or substances requiring remedial action

pursuant to any federal, state, or local environmental law, unless the executor contributed

to the loss or depreciation in value through willful default, willful misconduct, or gross

negligence.

H. To the maximum extent permitted by law, the executor may withhold

a distribution to a beneficiary hereunder until receiving from the beneficiary an

indemnification agreement in which the beneficiary agrees to indemnify the executor

against any claims filed against the executor as an "owner" or "operator" under the

Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as from

time to time amended, or any regulation thereunder; provided further that the executor may

not take any action under this paragraph which would in any way jeopardize any marital

deduction available under federal or state law for property passing to or for the benefit of

my spouse.

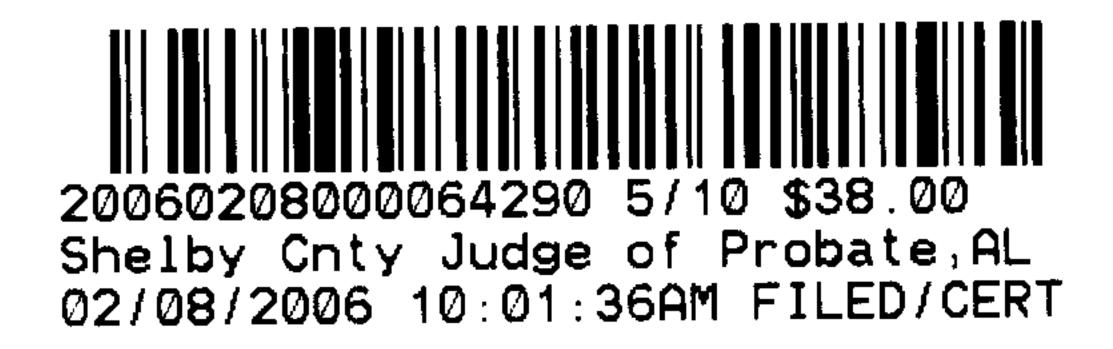
I, JOHN B. BATES, the testator, sign my name to this instrument this 28th

day of August, 2001, and being first duly sworn, do hereby declare to the undersigned

4_

Recorded In Above Book and Page 12/13/2004 03:54:55 PM Eunice Hagler

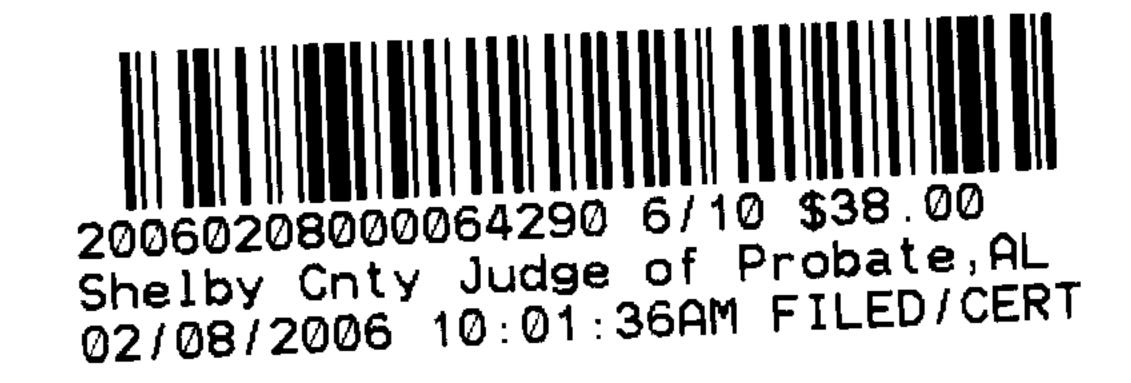
Probate Judge Dale County, Alabama



authority that I sign and execute this instrument as my last will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

and under no constraint or undue influence. JOHN B. BATES We, Devesa Thanky, and Mott Neynolds, 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 (or willingly directs another to sign for him), 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 eighteen years of age or older, of sound mind, and under no constraint or undue influence. Witness STATE OF ALABAMA COUNTY OF SHELBY Subscribed, sworn to and acknowledged before me by JOHN B. BATES, the testator, and subscribed and sworn to before me by | lacka __, witnesses, this 25 day of SEAL Notary Public, State at Large my commission expires Ilufor STATE OF ALABARIA. CALE COUNTY 11, Judge of Probute in end for saw State and County, heraby certify that the winnin is a win and correct Recorded In Above Book and Page on race in the office. Given under my hand this 25 12/13/2004 03:54:55 PM Eunice Hagler Probate Judge Dale County, Alabama

JUDGE OF PROBATÉ



IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT

JOHN B. BATES,

OF DALE COUNTY, ALABAMA

Deceased.

CASE NO. 04-236

LETTERS TESTAMENTARY

*

The Last Will and Testament of John B. Bates, deceased, having been duly admitted to record in said County, Letters Testamentary are hereby granted to Mary Rebecca Bates, the Executrix named in said Will, who has complied with the requisitions of the law, and is authorized to take upon herself the execution of said Will. The said Executrix is hereby granted all of the powers and duties as set forth in Code of Alabama, §43-2-843 along with those specified in said Will.

Witness my hand, and dated this 13 day of December, 2004.

Eunice Hagler, Probate dudge

STATE OF ALABAMA DALE COUNTY

I, Eunice Hagler, Judge of Probate in and for said County and State, hereby certify that the within and foregoing is a true, correct, and complete copy of the Letters Testamentary issued to Mary Rebecca Bates as Executrix of the Will of John B. Bates, deceased, as the same appears of record in my office, and are still in full force and effect.

Given under my hand and seal of office, this the 25 day of 0.06.

Probate Judge

Recorded In Above Book and Page 12/13/2004 04:04:24 PM Eunice Hagler Probate Judge Dale County, Alabama

BECKY BATES 604 Frankfort Dr., Dothan, AL 36305 334-702-3602 kms 20060208000064290 7/10 \$38.00 334-714-3602 ceu Shelby Cnty Judge of Probate, AL 02/08/2006 10:01:36AM FILED/CERT Trobate Office, Shelby County Ke: Chungag lay leed en the puring-Parcel ID" 296231000005000 Parcel ID' 1061 3000 100 4000 Parcel ID# 167250000001000 Parcel ID# 23/012003016000 Parcel TD# 282040001032000 The parcels should be changed to ownership name. Many Resucca Bates, 604 - FRANK FORT DR. - DOTHAN, A1. 36305. ay of the parcels are vocant in a capy of the following is attached: D'au Notices 12) Certified copy of Will-John B. Baks.
3) Marraige Certificate 14) Certifiéed copy of letters lessamentary
Re: Will of John D. BATES

(Navy ReBucca) Frehy Bates
334-402-3602

A Alabama 33051

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COMMISSIONER, SHELBY

PO. BOX 1298

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Columbiana, Alabama OUL YEARE

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CURRENT USE VALUE

MUNICIPALITY E 80146

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DUNG MENTER PRODUCT

PROPERTY TAX COMMISSIONER, SHELBY COUNTY
P.O. Box 1298
Columbiana, Alabama 35051

Courtesy Tax Notice

TAX YEARPOS RECEIPT 4548
TOTAL DUE: \$15.84
PARCEL I.D. 296231000005000
DESCRIPTION
SHELBY HIGHLANDS BLKS 23-35
P LOT: 12 P BLK: 25
S LOT: 5 BLK:

MAP BOOK: 03 MAP PAGE: 039

S: 23 T: 225 R: 01W ACRES: 0.17 DIM: 50 x 150

TOTAL MARKET VALUE

TOTAL ASSESSED VALUE

HOMESTEAD VALUE

CURRENT USE VALUE

MUNICIPALITY

E 80143 I

B003

PROPERTY TAX COMMISSIONER, SHELBY COUNTY
P.O. Box 1298
Columbiana, Alabama 35051

Courtesy Tax Notice

DESCRIPTION

TAX YEAR 2005 RECEIPT 47421
TOTAL DUE: \$352.00
PARCEL I.D. 106130001004000

BEG AT INSEC NW/L ALA HWY 11
9 ROW & N/L NW1/4 NE1/4 SEC
13 T195 RZW W ON SE/L 210' S
WLY PARL HWY 210" E 210' TO
NW ROW SD HWY NELY ON HWY RO
W 210'(S) TC POB
S: 13 T: 195 R: 02W AFF
ACRES: 0.00
DIM: 210 x 210

E 80146

8003 I.II.II.II.

PROPERTY TAX COMMISSIONER, SHELBY COUNTY
P.O. Box 1298

Columbiana, Alabama 35051

Courtesy Tax Notice

TAX YEAR至005 RECEIPT 24114 TOTAL DUE: \$62,48 PARCEL I.D. 167250000007000

DESCRIPTION

COM NE COR NE1/4 OF SW1/4 W
648.72 S 210 TO FOB SW 470.4

(D) 410 (S) TO E ROW CO RD
#61SELY ALG ROW 60 NE 418.6
N 65 W 30 TO FOB

S: 25 T: 205 R: 01E ACRES: 0.77 DIM: 60 × 470.4

TOTAL MARKET VALUE 7,080,00
TOTAL ASSESSED VALUE 1,420,00
HOMESTEAD VALUE 0,00
CURRENT USE VALUE 0,00
MUNICIPALITY COUNTY

80145]

B003

DON ARMSTRONG
PROPERTY TAX COMMISSIONER, SHELBY COUNTY
P.O. Box 1298
Columbiana, Alabama 35051

Courtesy Tax Notice

TAX YEAR2005 RECEIPT 17247
TOTAL DUE: \$483.84
PARCEL I.D. 231012003016000
DESCRIPTION

COM SW COR SW1/4 NW1/4 N434 E630 N255 TO POB NWLY105 WL 105 SWLY150 NELY200 TO POB

S: 01 T: 215 R: 03W ACRES: 0.37 DIM: 200 x 105

TOTAL MARKET VALUE

TOTAL ASSESSED VALUE

HOMESTEAD VALUE

CURRENT USE VALUE

ALABASTER

E 80144]

ECC3

DON ARMSTRONG
PROPERTY TAX COMMISSIONER, SHELBY COUNTY
P.O. Box 1298
Columbiana, Alabama 35051

Courtesy Tax Notice

TAX YEAR2005 RECEIPT 7410
TOTAL DUE: \$102.60
PARCEL I.D. 282040001032000
DESCRIPTION

INT E ROW US NELY ALG ROW SE 1/4 50"WLY 100" (S)SD NELY A ROW HWY ROW E105 5320 W160 TO POB 225 R: 02W 1.00

TOTAL MARKET VALUE

TOTAL ASSESSED VALUE

HOMESTEAD VALUE

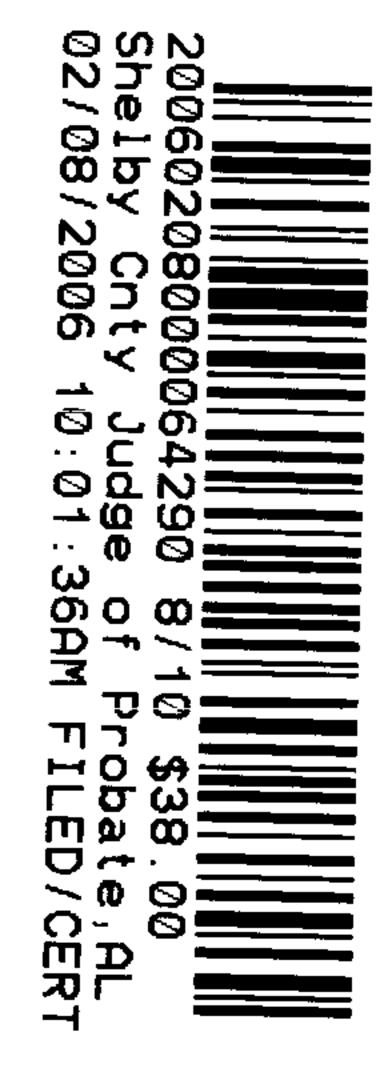
CURRENT USE VALUE

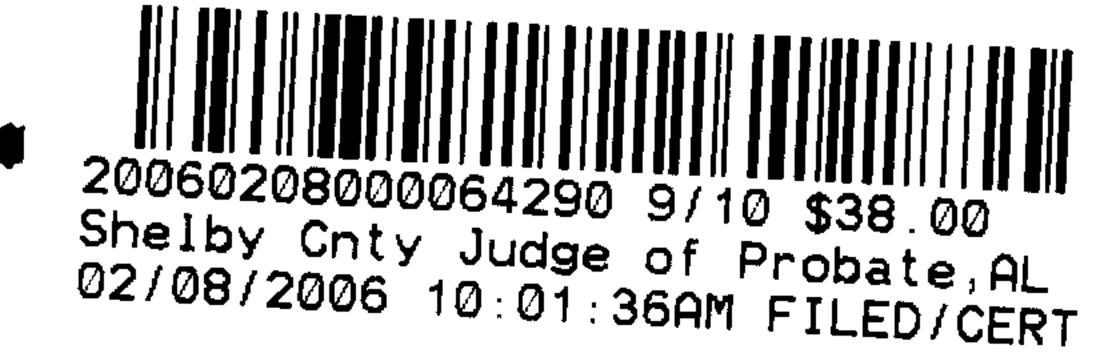
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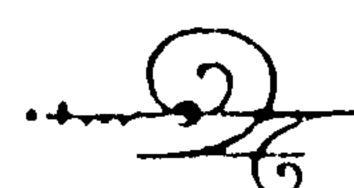
8003





Certificate of Marriage

STATE OF ALABAMA, _____Dale ____COUNTY

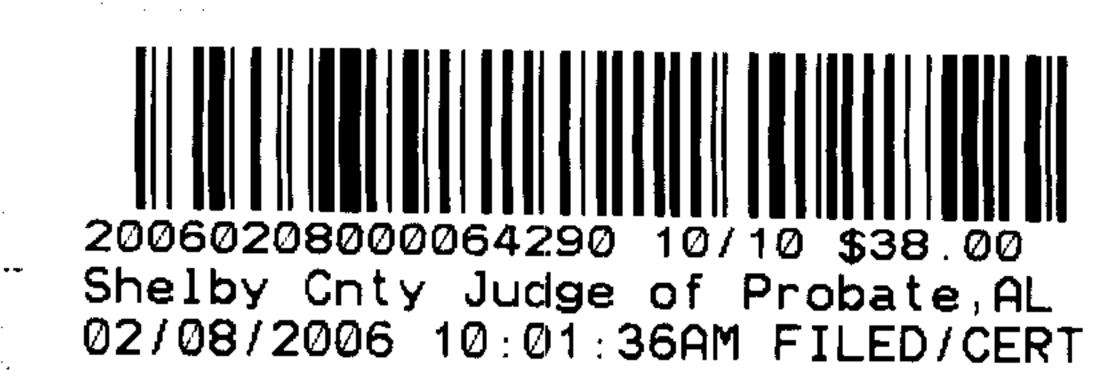


Marriage License

STATE OF ALABAMA,	Dale	COUNTY.		
To any person lawfully aut	horized to solemnize marr	iages within	said State, Greeting	5 :
You are hereby authorized to	o celebrate the Rite of Matrimon	y between:		
John Butler Bates	and	Mary Re	becca Irwin	
and required to return Marriage	License, and Certificate, duly cer	tified under you	r hand, to the Probate Ju	idge of the aforesaid
County.				
Witness my name as Judge	of Probate at the Courthouse in		Ozark	, Alabama, this the
26 day of	June	_, A.D. 19_ <u>98</u>	3	
		C. Floyd.	Johnston /s/ Judge of Probate.	
	Marriage C			
I certify that the within name	John Butler Bates	(NAME OF	GR(X)M)	
	Mary Rebecca Irwi			were by me, the
ındersigned, joined in marriage,	(NAME OF by the authority of the within L	•	is4	day of
	., A.D. 19, in the Co			
		unity Oi		, City or
Town of	Ozark, in th	e State of Alaba	ama.	
Billy D Gaither /s/			Minister	
Signature of Minister or Legally	Authorized Officer)		(Title)	
	Address 201	E Broad St	COzark AL 36360	
	THE STATE OF ALABA	MA,	Dale	COUNTY.
	I, C. Floyd Johns	ton	, Judge of Probate for	r said County in said
	State, hereby certify that the	above and fores		
	the Marriage License and Ce			
	record in my office, in Marria			160
	Given under my hand	and official Sc	al at	Ozark
	Alabama, this the 10	day of	July	19_98
		MOUNT.	Johnston	Judge of Probate

ALABAMA

Center for Health Statistics



ALABAMA

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	County	•	CERTI	FICATE OF	· -		-005261
023044	Number 1. DECEASED-NAME First	Middle Toll with Erby	BATES		TE OF DEATH (Month, Day, Year) FEBRUARY 15.	3. COUNTY OF	DEATH
000	JOHN	BUTLER					
033047	4. CITY, TOWN, OR LOCATION OF DEATH AND OZARK, ALABI			Special No.	LACE OF DEATH—HOSPITAL ON OTHER H 203 WILL MCS	WEEN ROAD	Eness and uhmaes
	7. IF HOSPITAL ISpecify Impetient, ER or Outpat	tient, DOA)	8. Of HISPANIC DRIGHT Specify Mexican, Puerto Ricon, etc.	Yes or No. Il Yes, Specify Cuban, NO.	9. RACE—(Specify American) WHITE		10.SEX MALE
<u>23400</u>	11.AGE 12.UNDER 1 Y		NDER I DAY OURS MINS.	13. DATE OF BIRTH I MO		14. DECEASED'S SOCIAL SECU	ITY NUMBER
	15. EDUCATION (Specify DNLY Mohast grade & Elementary or High School (0-12)		16. MARTIAL STATUS (Specify Man) Widowed Diverced)		17. SURVIVING SPOUSE #1 wife, give mak		18 Was Decadest ever in Arn Forces Specify Yes or No.
	19. STATE OF BRIHM and in USA name course ALABAMA		E-STATE ALABAMA	21. COUNTY DAI		NORLOCATION AND EP CODE ARK, ALABA	
	23 MSDE CITY LIMITS 24. STREET AN			25. INFORMANT-N	ILL MCSWEEN RO	ECCA D. BA	TES
	26. USUAL OCCUPATION (Give Mind of work de	ene during most of working if		27. KIND OF	BUSINESS ON INDUSTRY RETAIL PETRO		
	28. FATHER-NAME DEWEY	Middle	BATES		NAME OF MOTHER— RUBY	VIRGINI	A BUTLER
•	30. DISPOSITION OF BODY (Specify Suriel, Cr. Donation, Hospital Disposal, Other) BURIAL		Annth Day Yeart	32. CEMETERY OR CREMATORY SOUTHERN HE	-Name RITAGE CEMETE	33 LOCATION—CON OF TOM RY PELHAM	, -
. · · · · · · · · · · · · · · · · · · ·	34. FUNERAL HOME—Name and Address His 905 SOUTH UNIO		•	NC. S. FINSPAL DIRECT		man	36. DATE SIGNED BY FUNERAL DIRECT
Signature 39 TIME AND DATE OF FEBRE 42. ADDRESS OF PERS 4005	37. — Cartifying Physician — Medical Examiner Signature:	_	Table			Reled - 38 DATE SIGNED IM	orati, Dev. Year) 1.6/03
	39. TIME AND DAJE OF DEATH 12:2 FEBRUARY 15		SATE AND TIME PRONOUNCED DEAD	(For Coloner/M.E. also unity)	41. NAME AND TITLE OF PERSON V	NHO COMPLETED CAUSE OF DE	(TH Item 46)
		CAUSE OF DEATH (term 45)			1 (MY) C	43 CERTIFIER L	CENSE NUMBER
	44. REGISTBAR - Signature	ans or	For State	or County use only	<u> </u>	5 DATE FLED	Month, Day, Year)
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	46. PART I. Enter the classess, injuries, or con MANEDIATE CAUSE (Fine) dispass or condition resulting in death)		seth. Do not enter the mode of dying a	tuch as cordiac or respiratory arrest	, shock or heart failure. LIST ONLY ONE	CAUSE ON EACH LINE.	
		NIE TO IDAASA	CONSEQUENCE OFF	ach as conduct or respiratory arrest		CAUSE ON EACH LINE.	
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	Sequentially list conditions if any leading to immediate sause Enter UNDERLYING CAUSE (Disease or Injury that initiated events resulting in death) LAST 47. PART IL Other significant conditions conditions to the conditions of the conditions conditions are conditions to the conditions of the conditions conditions conditions are conditions to the conditions condi	DUE TO JOR AS A librario to death but not result. Homicide Guiçide, Undetermin	CONSEQUENCE OF: CONSEQUENCE OF: CONSEQUENCE OF: Ting In the underlying cause given in Pained Circumstances, Pending Investigal	ach as confias or respiratory arrest	shock or heart failure. UST CALLY ONE		Decueek >1/1
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	Sequentially list conditions if any leading to immediate cause Enter UNDERLYING CAUSE (Disease or Injury that initiated events resulting in death) LAST 47. PART II Offer significant conditions conditions conditions. 49. MANNER OF DEATH (Specify—Accident)	DUE TO JOR AS A library in hem 46. Part 1 or its	CONSEQUENCE OF: CONSEQUENCE OF: CONSEQUENCE OF: Ting in the underlying couse given in Prince Circumstances, Pending Investigal tere 47, Part III	ach as certilet or respiratory arrest action of the control of the	shock or heart failure. UST CNILY ONE (So. AUTOPSY (Specify Yes or No)	51. If yes, were findings of (Specify Yes or No.) Day, Year)	AB WAS THERE A PREGNANCY IN LAST 42 DAYS? Specify Yes, No, or Unit.) ensidered in determining cause of death?

I, Dorothy S. Harshbarger, State Registrar of Health Statistics, certify this is a true and exact copy of the original certificate filed in the Center for Health Statistics, State of Alabama, Department of Public Health, Montgomery, Alabama, and have caused the official seal of the Center for Health Statistics to be affixed. 2006-125-681-5

Dorothy/S. Harshbarger, State Registrar