

THE STATE OF ALABAMA

Chilton COUNTY

PROBATE COURT

Case No. 2009221

Petition of Judy Battle for the Probate of the Will of Bonnie Mae Rollan deceased.

To the Hon. Robert Martin Judge Probate Court of said County:

The petition of the undersigned Judy Battle respectfully represents unto Your Honor that Bonnie Mae Rollan who was at the time of her death an inhabitant of this County, departed this life at Chilton County on or about the 2nd day of July 2009 leaving assets in this State, and leaving a Last Will and Testament duly signed and published by her and attested by William D. Lathan and Sheila K. Morgan

That your petitioner as she verily believes is named in said Will as personal representative and does now herewith surrender said Will to the Court and pray that after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said deceased. Your petitioner further represents that

n/a is the widow of said deceased, and that the names, ages, residence and condition of the next of kin are as follows, to-wit:

Your petitioner, Judy Battle and Delores Marie Waldner, a daughter, who has executed a waiver which is attached to this petition

I hereby certify and within  
was filed in the Probate Court for record  
and record in  
Record  
and examined  
ROBERT M. MARTIN

Chilton County, Alabama  
I certify this instrument was filed  
and fees collected on:  
2009 July -17 8:49AM  
Book G 2009 Page 150216  
Instrument Number 150216 Pages  
Recording Mortgage  
Deed Min Tax  
Index DP  
Archive  
Total Fees  
Judge Robert M. Martin

Your petitioner would further represent that  
the said attesting witness were William D. Lathan and Sheila K. Morgan

Your petitioner therefore further prays that Your Honor will take jurisdiction of this her petition and cause all such notices or citations to issue to the said next of kin and to said witnesses, and cause all such proceedings to be had and done and render all necessary orders and decrees in the premises as will duly and legally affect the probate and record of said Will in this Court.

Address of Petitioner  
242 Beaver Creek Parkway  
Pelham, Alabama 35124

*Judy Battle*

THE STATE OF ALABAMA

Chilton COUNTY

Judy Battle being duly sworn,

deposes and says that the facts alleged in the above petition are true, according to the best of her knowledge, information and belief.

Subscribed and sworn to before me, this

13 July 2009

Notary Public

Judge Probate Court

*Judy Battle*

20120530000190620 1/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

THE STATE OF ALABAMA, CHILTON COUNTY

PROBATE COURT

Instrument 150216 Page 2 of 1

In the Matter of the Application of Judy Battle

to Admit to Probate an Instrument Purporting to be the Last Will and Testament of

Bonnie Mae Rollan, Deceased.

This day came Judy Battle

and filed his petition in writing and under oath, praying for an order of this Court, admitting to probate  
an instrument purporting to be the last will and testament of

Bonnie Mae Rollan, deceased.

It is Ordered, Adjudged and Decreed by the Court that the 15th day of July, 2009,  
~~XXXXX~~, be, and the same hereby is fixed by the Court as the day and time for the hearing on the said  
petition.

It is Further Ordered; Adjudged and Decreed by the Court that notice be issued and served upon  
n/a

was filed in the Probate Court for record  
4/15 2009 and record in

Record  
and examined Robert M. Martin  
ROBERT M. MARTIN

the widow and next of kin, of the filing of the said application and of the day and time fixed by the Court  
for the hearing thereon.

It is Further Ordered, Adjudged and Decreed by the Court that

n/a, a practicing Attorney at Law, be, and he hereby is appointed by the

Court as Guardian ad litem to represent and defend the interest of

the minors interested in the said proceedings, on the said hearing.

Witness my hand this the 15th day of July, 2009 ~~XXXXXX~~

Robert M. Martin

Judge of Probate

20120530000190620 2/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

**STATE OF ALABAMA  
CHILTON COUNTY**

Instrument 150216 Page 3 of 14


**WAIVER OF NOTICE**

Estate of Bonnie Mae Rollan, I, the undersigned,  
hereby accept service of the notice of the filing of the Last Will and  
Testament in the matter of the above referenced estate and hereby waive  
all other or further notice thereof, either by publication or otherwise, and  
do further hereby enter my appearance in Court on  
\_\_\_\_\_, the day set for hearing said matter.

Dated: 13 July 2009 Deborah Marie Walcher  
✕

Witness:

Rebecca Gore

  
20120530000190620 3/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

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and received  
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not examined Robert M. Martin  
ROBERT M. MARTIN

STATE OF ALABAMA,

PROBATE COURT

Chilton

COUNTY

JULY 15, 2009

18XX

In the Matter of the Estate of Bonnie Mae Rollan deceased.

This the 15th day of July, 2009 XXXX, having been regularly appointed  
by an order of this Court, formerly made and entered, for hearing the application of Instrument 150216 Page 4 of  
Judy Battle which was heretofore filed in this Court,

for the probate of an instrument in writing, purporting to be the Last Will and Testament of the said  
Bonnie Mae Rollan deceased, now comes the said

applicant, Judy Battleand also comes n/a

who was heretofore duly appointed by order of this Court, and who consented, to act as Guardian ad Litem for

and within  
in the Probate Court for record  
11/5 2009 and record in  
Record

and examined [Signature]  
ROBERT M. MARTIN all of whom are minors

and children and heirs of the said deceased;

and it appearing to the satisfaction of the Court that notice of the said application and of the time appointed for  
hearing same has been given in pursuance of law and in strict accordance with a former order of this Court, made  
and entered in the premises on the 15th day of July, 2009 XXXX now, on the  
motion of the said

the applicant aforesaid, the Court proceeds to hear said application. And it appearing to the satisfaction of the  
Court, on the testimony of will was self proving and

that they, on the day of the date thereof,  
in the presence of the testat, and at request, respectively signed the said instrument as sub-  
scribing witnesses to the same, the said testat rix then declaring that said instrument constituted her

Last Will and Testament; and it also being shown to the satisfaction of the Court by competent testimony that said  
testat rix was of the full age of twenty-one years and upwards at the time of making said Will, it seems to the

Court that said application should be granted: It is, therefore, ordered, adjudged and decreed by the Court that  
said Will of said Bonnie Mae Rollan deceased, be received,

and the same is hereby declared to be duly proved as the Last Will and Testament of said testat rix, and, as  
such, admitted to probate to be recorded, together with the proof thereof and all other papers on file relating to  
this proceeding. It is further ordered that said applicant pay the cost of this proceeding and that she

be reimbursed on the final settlement of said estate.

Judge of Probate.

20120530000190620 4/14 \$51.00 AL  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

**LAST WILL AND TESTAMENT**  
**OF**  
**BONNIE MAE ROLLAN**

Instrument 150216 Page 5 of 14

I, BONNIE MAE ROLLAN, being of sound mind and disposing memory, do hereby make, publish and declare this instrument to be my Last Will and Testament, hereby revoking any and all wills heretofore made by me.

First, I direct my personal representative, hereinafter named, to pay all of my just debts and expenses as soon after my death as may be practical.

Next, I give, devise and bequeath all the rest, residue and remainder of my estate, both real, personal, tangible, intangible and mixed unto my beloved spouse, to be his absolutely and in fee simple.

In the event my beloved spouse does not survive me, or should we die together in a common accident or calamity, then I hereby give, devise and bequeath all the rest, residue and remainder of my estate, both real, personal, tangible, intangible and mixed, unto my beloved children, Judy Gail Battle and Delores Marie Waldner.

Next, I hereby name, constitute and appoint Judy Gail Battle as the personal representative of this, my last will and testament and direct that no bond shall be required to act as such, nor shall any report or inventory be required.


I, undersigned, sign my name to this instrument this the 8 day of May, 2003, 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 purposes therein expressed, and that I am nineteen years of age or older, of sound mind and under no constraint or undue influence.

X Bonnie Mae Rollan (L.S.)

We, the undersigned, the witnesses, sign our names to this instrument being duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and Testament, and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this will as witnesses to the Testatrix's signing, and that to the best of our knowledge, the Testatrix is nineteen years of age or older, of sound mind and under no constraint or undue influence.

[Signature] of Clanton, Alabama

Sheila K. Morgan of Clanton, Alabama

  
201205300000190620 5/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

STATE OF ALABAMA

CHILTON COUNTY

Instrument 150216 Page 6 of 14

Subscribed, sworn to and acknowledged before me by the above signed, the Testatrix,  
and subscribed and sworn to before me by the above signed witnesses this 8 day of

May 2003.



NOTARY PUBLIC

7/15 2009 and received  
Record  
and examined Robert M. Martin  
ROBERT M. MARTIN



20120530000190620 6/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
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**THE STATE OF ALABAMA**  
**Chilton COUNTY**

I, Robert Martin, Judge of the Court of Probate, in and for  
said State and County, do hereby certify that the within 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 Bonnie Mae Rollan deceased;  
and that said Will \_\_\_\_\_ together with the proof thereof, have been recorded  
in my office in Book of Wills, Vol. \_\_\_\_\_, Page \_\_\_\_\_

In witness of all which I have hereto set my hand, and  
the seal of the said Court, this the 15th  
day of July, 2009 ~~XXXXXX~~  
\_\_\_\_\_  
Judge of Probate.

Instrument 150216 Page 7 of 14

was filed in the Probate Court for  
7/15 20 09 and recorded  
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Record  
and examined Robert M. Martin  
ROBERT M. MARTIN

20120530000190620 7/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

THE STATE OF ALABAMA  
Chilton COUNTY

## PROBATE COURT

Petition of Judy Battle for Letters Testamentary on the  
Will of Bonnie Mae Rollan deceased.

TO THE HON. Robert Martin JUDGE PROBATE COURT SAID COUNTY:  
Instrument 150216 Page 8 of 8

The petition of the undersigned Judy Battle  
respectfully represents unto Your Honor, that in the Last Will and Testament of  
Bonnie Mae Rollan deceased, which Will and Testament has been  
duly probated and admitted to record in this Court, and Judy Battle  
personal representative  
named as the ~~Executrix~~ thereof:

that the said testator died seized and possessed of certain real and personal estate, consisting chiefly of  
real and personal property

all of said real and personal estate being  
estimated to be worth about Two Hundred Thousand Dollars, and probably not more;  
that your petitioner Judy Battle

inhabitant of this State, above the age of twenty-one years, and in no respect disqualified, under the law, from  
serving as the ~~Executrix~~ personal representative

To the end, therefore, that the said property may be collected and preserved for those who shall appear  
to have a legal interest therein, and the said will executed according to the requests of the said testator, your  
petitioner prays that Your Honor will grant Letters Testamentary personal representative  
to her as ~~Executrix~~ of said Last Will and Testament, upon n/a

entering into bond in such sum as is required by the statute, and with security or securities to be approved by  
Your Honor. That the said Judy Battle was expressly exempted

in and by said will from giving bond as  
personal representative  
~~Executrix~~ thereof.

*Judy Battle*

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Probate Court for  
and record  
Record

and examined *Robert Martin*  
ROBERT M. MARTIN

Judy Battle

being duly sworn to depose and say that the facts alleged in above petition are true according to the best  
of her knowledge, information and belief.

Subscribed and sworn to before me this the

13 day of July, 2009 19

*Billie Gore*  
Notary Public Judge Probate Court

*Judy Battle*

20120530000190620 8/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

**THE STATE OF ALABAMA**  
**Chilton COUNTY**

Probate Court

In the Matter of the Estate of Bonnie Mae Rollan Deceased.Present Hon. Robert Martin Judge of Probate.This day comes Judy Battle and presents to the Court herapplication in writing, under oath, praying that Letters Testamentary now personal representative Instrument 150216 Page 9 of 14 may issueto her as ~~XXXXXX~~ of the last Will of Bonnie Mae Rollan deceased;

and the Court being now already fully advised concerning the death of the said

Bonnie Mae Rollanand that in will, heretofore filed and admitted toprobate by this Court, the said Judy Battle named personal representative thereof:and it now further appearing to said Court, from the allegations contained in said application, and from other good and sufficient evidence, that the said petitioner Judy Battle of the full age oftwenty-one years is an inhabitant of this State, and is a fit person personal representative under the law and in theestimation of the Court to serve as said ~~XXXXXX~~ and that the value of the estate, both real andpersonal of the said deceased, is about Two Hundred Thousand Dollars,

and probably not more, and no person having appeared to oppose the granting of Letters to the said

Judy Battle

or to show cause why the application of said petitioner should not be granted; it is ordered that the same be

granted, provided, that the said Judy Battle was exempt from posting bondfirst file in this Court bond as such execut in the penal sum of Dollars,

conditioned and payable according to the statute in such cases made and provided, with security or securities to be approved by the Court.

It is further ordered that the said petition be recorded

in the probate records of Chilton County, Alabama

In my County of Alabama  
 was filed in the Probate Court for record  
7/15 2009 and recorded in  
 Record  
 Page

And now again comes n/aand present to the Court for approval bond in form as by this Court heretofore required, withas securit thereon, and the Court being now sufficiently advised concerning said bond and said security, it is ordered by the Court that the said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the Court that Letters Testamentary

now be granted to the said Judy Battlepersonal representativeas ~~XXXXXX~~ under said Will. It is further ordered that the said Judy Battleproceed immediately to collect and take into her possession the goods and chattels, money, books, papers and evidences of debt of said deceased, except the personal property specifically exempted under Section 7921 Code, in favor of the widow and minor children, and make due return under oath, to this Court, of a full

and complete inventory thereof within two months. It is further ordered that

n/a

be and they hereby are appointed Appraisers of the personal property of said estate, and that a warrant of appraisal be issued to them, notifying them of their appointment, and that they make due return under oath, to this Court, of their proceedings within two months.

This 15 July, 2009, XXXX

Judge of Probate.

20120530000190620 9/14 \$51.00  
 Shelby Cnty Judge of Probate, AL  
 05/30/2012 10:49:07 AM FILED/CERT

THE STATE OF ALABAMA

COURT OF PROBATE


COUNTY OF CHILTON

LETTERS TESTAMENTARY

The Will of Bonnie Mae Rollan In Shewing 15024 Page 10 of 14

admitted to record in said county, Letters Testamentary are hereby granted to Judy Battle, the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in Code of Alabama (1975, as amended) § 43-8-76, the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers, without limitation, [EXCEPT for the powers in numbers \_\_\_\_\_] authorized in transactions under Code of Alabama (1975, as amended) § 43-2-843, as follows:

1. Retain assets owned by the decedent pending distribution or liquidation including those in which the representative is personally interested or which are otherwise improper for trust investment.
2. Receive assets from fiduciaries, or other sources.
3. Perform, compromise, or refuse performance of the decedent's contracts that continue as obligations of the estate, as the personal representative may determine under the circumstances. In performing enforceable contracts by the decedent to convey or lease land, the personal representative, among other possible courses of action, may do either of the following:
  - a. Execute and deliver a deed of conveyance for cash payment of all sums remaining due or the purchaser's note for the sum remaining due secured by a mortgage or deed of trust on the land.
  - b. Deliver a deed in escrow with directions that the proceeds when paid in accordance with the escrow agreement, be paid to the successors of the decedent, as designated in the escrow agreement.
4. Satisfy written charitable pledges of the decedent irrespective of whether the pledges constituted binding obligations of the decedent or were properly presented as claims, if in the judgment of the personal representative the decedent would have wanted the pledges completed under the circumstances.

  
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Shelby Cnty Judge of Probate, AL  
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5. If funds are not needed to meet debts and expenses currently payable and are not immediately distributable, deposit or invest liquid assets of the estate, including moneys received from the sale of other assets, in federally insured interest-bearing accounts, readily marketable secured loan arrangements, or other prudent investments which would be reasonable for use by trustees generally.
6. Abandon personal property when, in the opinion of the personal representative, it is valueless, or is so encumbered, or is in condition that it is of no benefit to the estate.  
Instrument 150216 Page 11 of 14
7. Vote stocks or other securities in person or by general or limited proxy.
8. Pay calls, assessments, and other sums chargeable or accruing against or on account of securities, unless barred by the provisions relating to claims.
9. Hold a security in the name of a nominee or in other form without disclosure of the interest of the estate but the personal representative is liable for any act of the nominee in connection with the security so held.
10. Insure the assets of the estate against damage, loss, and liability and the personal representative against liability as to third persons.
11. Borrow money without security or with security of personal property to be repaid from the estate assets or otherwise; and advance money for the protection of the estate.
12. Effect a fair and reasonable compromise with any debtor or obligor, or extend, renew, or in any manner modify the terms of any obligation owing to the estate. If the personal representative holds a mortgage, pledge, or other lien upon property of another person, the personal representative may, in lieu of foreclosure, accept a conveyance or transfer of encumbered assets from the owner thereof in satisfaction of the indebtedness secured by the lien.
13. Pay taxes, assessments, and other expenses incident to the administration of the estate.
14. Sell or exercise stock subscription or conversion rights; consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution, or liquidation of a corporation or other business enterprise.
15. Enter for any purpose into a lease as lessor or lessee, with or without option to purchase or renew, for a term not to exceed one year.
16. Allocate items of income or expense to either estate income or principal, as permitted or provided by law.
17. Employ necessary persons, including appraisers, attorneys, auditors (who may include certified public accountants, public accountants, or internal auditors), investment advisors, or agents, even if they are associated with the personal representative, to advise or assist the personal representative in the performance of administrative duties; act without independent investigation upon recommendations of agents or advisors; and instead of acting personally, employ one or more agents to perform any act of administration, whether or not discretionary.

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Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

18. Prosecute or defend claims or proceedings in any jurisdiction for the protection or benefit of the estate and of the personal representative in the performance of duties of the personal representative.

19. Continue any unincorporated business or venture in which the decedent was engaged at the time of death as provided in any of the following:

- a. In the same business form for a period of not more than one year from the date of appointment of a general personal representative if continuation is a reasonable means of preserving the value of the business including good will.
- b. In the same business form for any additional period of time that may be approved by order of the court in a proceeding to which the persons interested in the estate are parties.
- c. Throughout the period of administration if the business is incorporated by the personal representative and if none of the probable distributees of the business who are competent adults object to its incorporation and retention in the estate.

Instrument 150216 Page 12 of 14

20. Incorporate any business or venture in which the decedent was engaged at the time of death.

21. Provide for exoneration of the personal representative from personal liability in any contract entered into on behalf of the estate.

22. Satisfy and settle claims and distribute the estate as provided in Title 43 of the Code of Alabama 1975.

WITNESS my hand, and dated this 15th day of July, 2009.

Robert M. Martin  
Judge of Probate

Filed in the Probate Court for the  
County of Shelby and recorded  
Record  
and examined Robert M. Martin  
JUDGE M. MARTIN

20120530000190620 12/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

ESTATE OF

Bonnie Mae Rollan

DECEASED

PROBATE COURT

Letters Testamentary

Instrument 150216 Page 13 of 14

of said deceased having been granted to the undersigned on the 15th day of

July, 2009, by the Hon. Robert Martin

Judge of the Probate Court of Chilton County, notice is hereby given that all persons having claims against said estate are hereby required to present the same within time allowed by law or the same will be barred.

Judy Battle, personal representative  
William D. Latham, Attorney at Law

242 Beaver Creek Parkway  
Pelham, AL 35124

To Ben Tucker

Publisher of Chilton County News

Please publish the above notice three successive weeks in said newspaper.

Robert M. Martin

Judge of the Probate Court

MA,  
Shelby County  
7/1/09

Examined  
ROBERT M. MARTIN

20120530000190620 13/14 \$51.00  
Shelby Cnty Judge of Probate, AL  
05/30/2012 10:49:07 AM FILED/CERT

# AFFIDAVIT OF ESTATE TAX

(To be recorded in the county of residence of the deceased)

STATE OF ALABAMA  
CHILTON COUNTY

I, the undersigned, Judy Battle, do hereby state:

1. I am the Personal Representative as defined in Section 8-6-140(5),

Code of Alabama, 1975, as the case may be, of the Estate of Bonnie Mae Rollan Instrument 150216 Page 14 of 14

2. The decedent referenced above, whose Social Security Number is XXXXXXXXXX died on                     

and was domiciled, as defined in Caheen vs. Caheen, 233 Ala. 494, 172 So. 618 (1937), at the time of death, at Clanton

in the County of Chilton in the State of Alabama.

On date of death, the decedent was (a) a U. S. citizen (b) not a U. S. citizen.

3. A federal estate tax return (federal Form 706 or 706-NA)

(☒) is not require

( ) is required to filed for the estate

Under penalty of perjury, I declare that I have read this affidavit and that the facts stated are true. This form is being filed in according with Section 40-15-13, Code of Alabama, 1975.

Executed this 13 July 2009

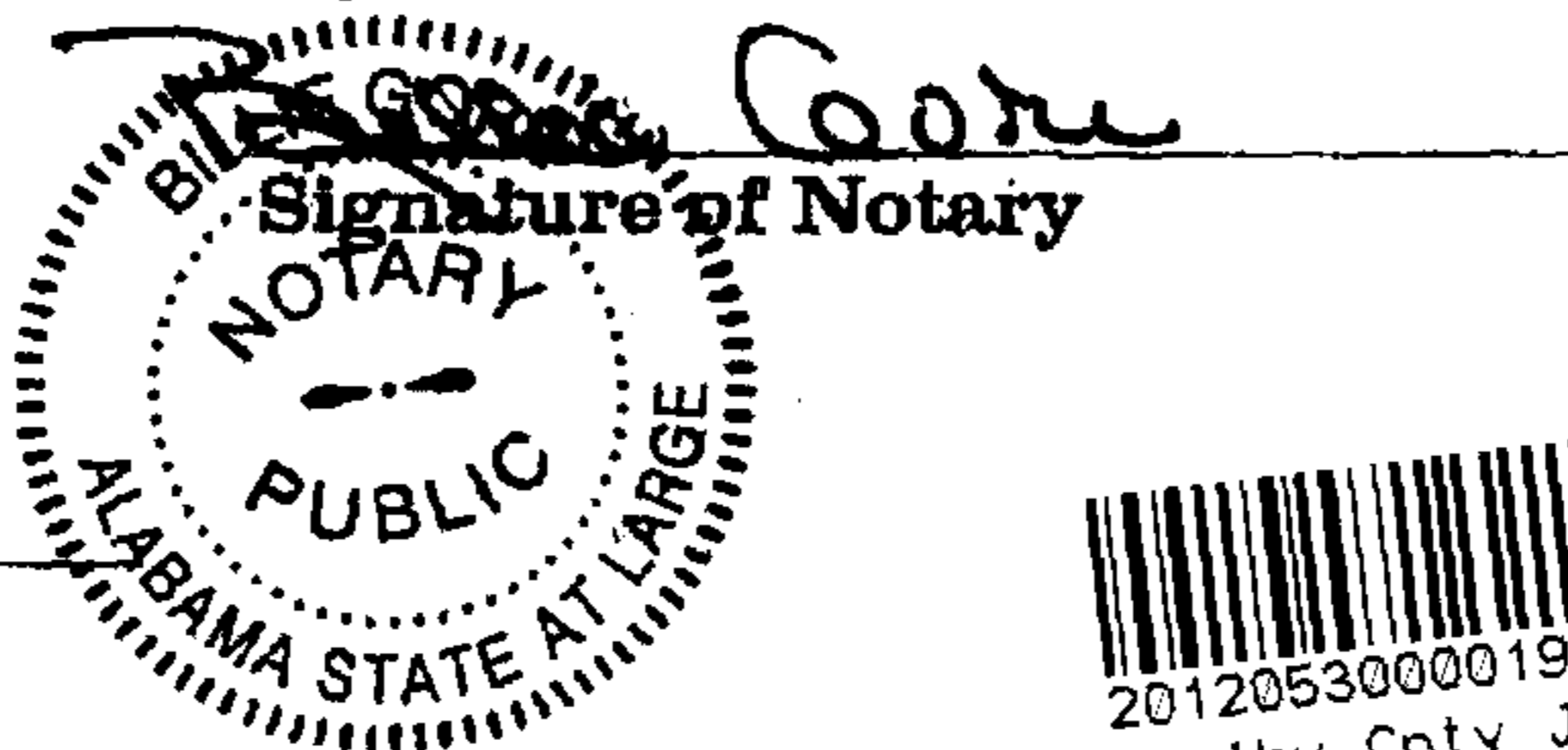
Judy Battle  
Personal Representative  
Mailing address:  
242 Beaver Creek Parkway  
Pelham, AL 35124  
Telephone: ( ) 982-1495

State of Alabama

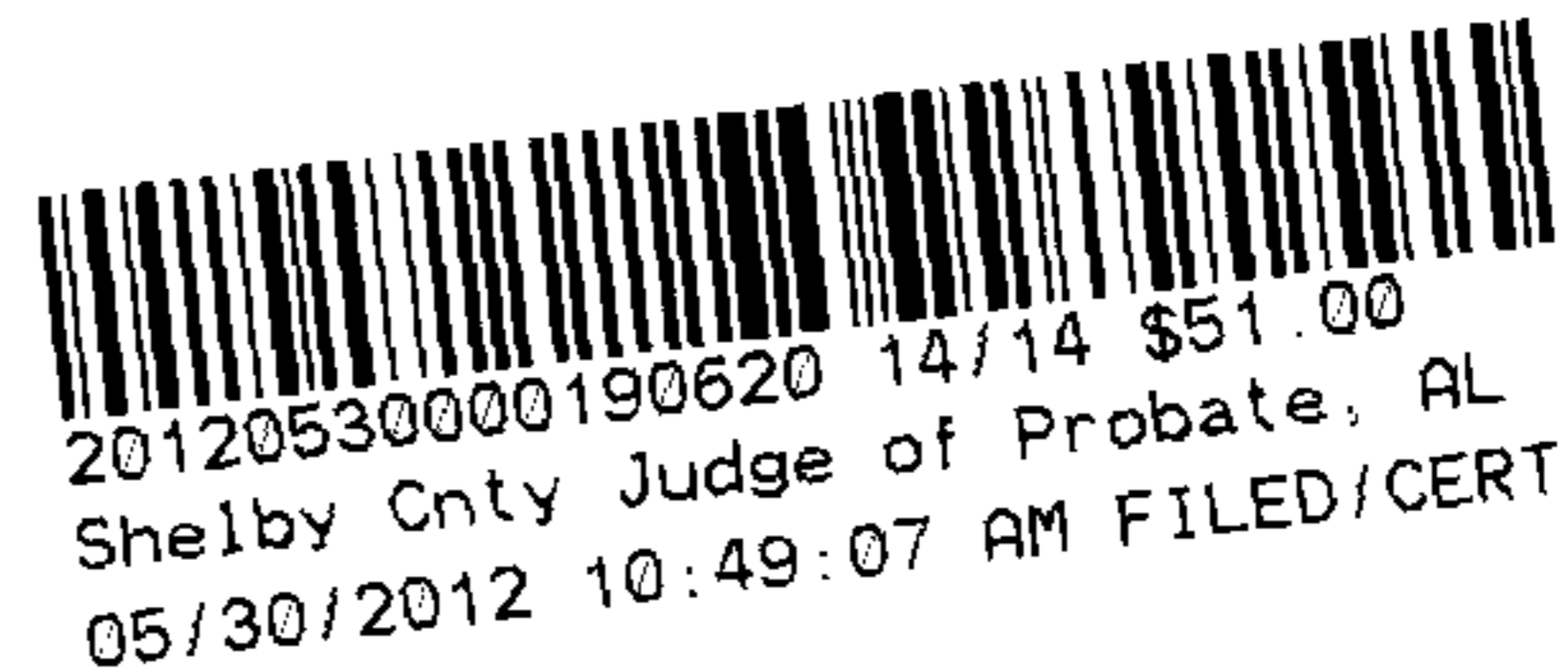
Chilton County

Sworn to and subscribed before me by Judy Battle

On this 13 July 2009



Personally known                       
Produced identification                       
Type of identification produced                     



7/15 2009  
and record in  
Record  
page  
Robert M. Martin  
and examined  
ROBERT M. MARTIN

COUNTY OF CHILTON, STATE OF ALABAMA  
The undersigned, Judge of Probate  
of Chilton County, Alabama,  
does hereby certify  
that the foregoing is a true copy  
of the original instrument of said Court  
in the above stated cause,  
as the same appears of record  
and of file in my office in Clanton, Alabama.  
Witness my hand and the Seal of the  
Judge of Probate of Chilton County, Alabama,  
this 23rd day of May, 2012  
Robert M. Martin