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**CERTIFICATE TO COPIES**

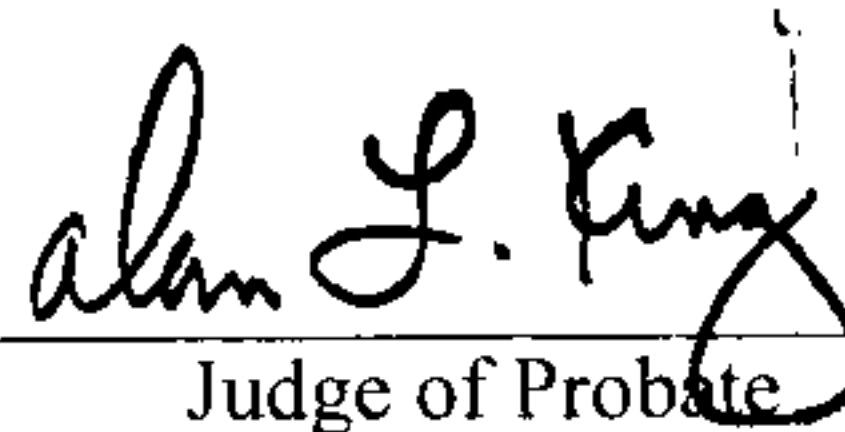
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**STATE OF ALABAMA  
JEFFERSON COUNTY**

**PROBATE COURT  
CASE NO. 2016-230174**

I, **ALAN L. KING**, Judge of Probate Court, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the **PETITION FOR PROBATE OF WILL, WAIVER OF NOTICE, LAST WILL AND TESTAMENT, CERTIFICATE TO THE PROBATE OF WILL, ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT, PETITION FOR LETTERS TESTAMENTARY, ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND, LETTERS TESTAMENTARY, AND NOTICE TO CREDITORS** in the matter of the estate of **FAY MAPLES HUTTO BLACK, A/K/A FAY HUTTO BLACK, DECEASED** as the same appears on file and of record, in this office.

Given under my hand and seal of said Court this date,  
**December 13, 2016.**

  
\_\_\_\_\_  
Judge of Probate

**IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA**

**IN THE MATTER OF THE ESTATE OF )**

**FAY MAPLES HUTTO BLACK, )**

**AKA )**

**FAY HUTTO BLACK Deceased. )**

**CASE NO. 2016-230174**

**PETITION FOR PROBATE OF WILL**

Come the Petitioners, **POLLY HUTTO WESTBERG LEVERT** and **WILLIAM BAXTER HUTTO, JR.**, and shows this Court the following facts:

1. **FAY MAPLES HUTTO BLACK** died testate at Birmingham, Alabama on or about the 15<sup>th</sup> day of October, 2016, and at the time of such death was an inhabitant of Jefferson County, Alabama.

2. In the Last Will and Testament of **FAY MAPLES HUTTO BLACK**, deceased, (the "Decedent") which Will has been or shall be duly probated and admitted to record in this Court, **POLLY HUTTO WESTBERG LEVERT** and **WILLIAM BAXTER HUTTO, JR.**, are named as Co- Personal Representatives thereof.

3. Surrendered herewith is the Decedent's Last Will and Testament naming the Petitioners as Co-Personal Representatives thereof. The Will was duly signed by the Decedent when over eighteen (18) years of age, and was attested by the following witnesses:

**NAME**

**ADDRESS**

Betty L. Reed

2001 Park Place North  
Birmingham, AL 35203

Kathleen M. Northcutt

2001 Park Place North  
Birmingham, AL 35203

4. The Decedent's Last Will and Testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of **ALA. CODE § 43-8-132**. The name and present address of the officer authorized to administer oaths before whom said Will was acknowledged are as follows:

Leonard Wertheimer, III  
2001 Park Place North, Suite 700  
Birmingham, Alabama 35203

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5. Decedent was not survived by a spouse.

6. The following is a true, correct, and complete list of the names, ages, conditions; relationships and addresses of the Decedent's next-of-kin (as determined by application of ALA. CODE § 43-8-42):

λ **Polly Hutto Westberg Levert**, daughter, over nineteen (19) years of age and of sound mind, 426 Tocoa Road, Helena, AL 35080.

λ **William Baxter Hutto**, son, over nineteen (19) years of age and of sound mind, 271 Cherokee Drive, Wilsonville, AL 35186.

DAYID BRYAN HUTTO, DECEASED

W **Jessica Elaine Hutto Milster**, granddaughter, daughter of David Bryan Hutto, deceased, over nineteen (19) years of age and of sound mind, 1045 Bridgeridge Trail, Russell, GA 30075

W **David Baxter Hutto**, grandson, son of David Bryan Hutto, deceased, over nineteen (19) years of age and of sound mind, 3303 Roland Road, Sylacauga, AL 35105

**WHEREFORE**, the Petitioners pray that this Court will take jurisdiction of this Petition; will cause all such notices or citations to issue to the said next-of-kin as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said Will as the Last Will and Testament of the Decedent. This Petition is deemed to be verified pursuant to ALA. CODE § 43-8-22.

Polly Hutto Westberg Levert  
**POLLY HUTTO WESTBERG LEVERT**  
426 Tocoa Road  
Helena, AL 35080

William Baxter Hutto, Jr.  
**WILLIAM BAXTER HUTTO, JR.**  
271 Cherokee Drive  
Wilsonville, AL 35186

Attorney for Petitioner:  
Nancy Williams Ball, Esq.  
Cabaniss, Johnston, Gardner  
Dumas & O'Neal LLP  
2001 Park Place North, Suite 700  
Birmingham, Alabama 35203  
(205) 716-5296

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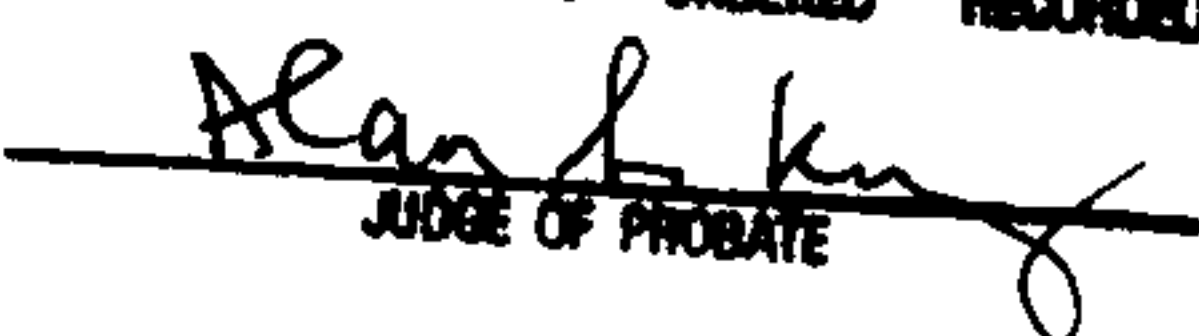
**BENCH NOTE**

Filed in the Probate Court of Jefferson County, Alabama, prayer granted, and petition ordered recorded this the \_\_\_\_\_ day of November, 2016.

\_\_\_\_\_  
Judge of Probate

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20161220000463920 4/23 \$84.00  
Shelby Cnty Judge of Probate: AL  
12/20/2016 10:10:19 AM FILED/CERT

FILED IN OFFICE THIS 21st DAY OF  
November, 2016. PRAYER  
GRANTED AND PETITION ORDERED RECORDED  
  
JUDGE OF PROBATE

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF )

FAY MAPLES HUTTO BLACK, )

Deceased. )

CASE NO. 2016230174

WAIVER OF NOTICE  
ON PROBATE OF WILL

TO THE HONORABLE ALAN L. KING,  
JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA:


I, DAVID BAXTER HUTTO, a resident of Talladega County, State of Alabama, being the next-of-kin as determined by application of the ALA. CODE § 43-8-42, of FAY MAPLES HUTTO BLACK, deceased, and age nineteen (19) years or older, hereby accept service and waive notice of the filing of the Petition to Probate the Last Will and Testament of said Decedent. I do hereby waive notice either by personal service or by publication and consent and request that said Will, which bears the date of February 24, 2015, be admitted to probate without further notice of any kind to me, and the Personal Representatives named in said Will be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said Will or to make an objection to the administration of the estate of the deceased by the Personal Representatives thereof.

Dated this the 11 day of November, 2016.

  
DAVID BAXTER HUTTO  
3303 Roland Road  
Sylacauga, AL 35105


STATE OF Alabama )

Jefferson COUNTY )

  
20161220000463920 5/23 \$84.00  
Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DAVID BAXTER HUTTO, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11 day of November, 2016.

  
Notary Public

[SEAL]

My Commission Expires: 6/11/17  
(B0891727.1)

FILED IN OFFICE THIS 21st DAY  
OF November, 2016  
AND ORDERED RECORDED.

  
JUDGE OF PROBATE



IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF )

FAY MAPLES HUTTO BLACK, )

Deceased. )

CASE NO. \_\_\_\_\_

2016230174

WAIVER OF NOTICE  
ON PROBATE OF WILL

TO THE HONORABLE ALAN L. KING,  
JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA:

I, JESSICA ELAINE HUTTO MILSTER, a resident of Fulton County, State of GA, being the next-of-kin as determined by application of the ALA. CODE § 43-8-42, of FAY MAPLES HUTTO BLACK, deceased, and age nineteen (19) years or older, hereby accept service and waive notice of the filing of the Petition to Probate the Last Will and Testament of said Decedent. I do hereby waive notice either by personal service or by publication and consent and request that said Will, which bears the date of **February 24, 2015**, be admitted to probate without further notice of any kind to me, and the Personal Representatives named in said Will be appointed as provided therein. I acknowledge that by this Waiver of Notice I am **NOT** giving up my right to contest said Will or to make an objection to the administration of the estate of the deceased by the Personal Representatives thereof.

Dated this the 17 day of November, 2016.

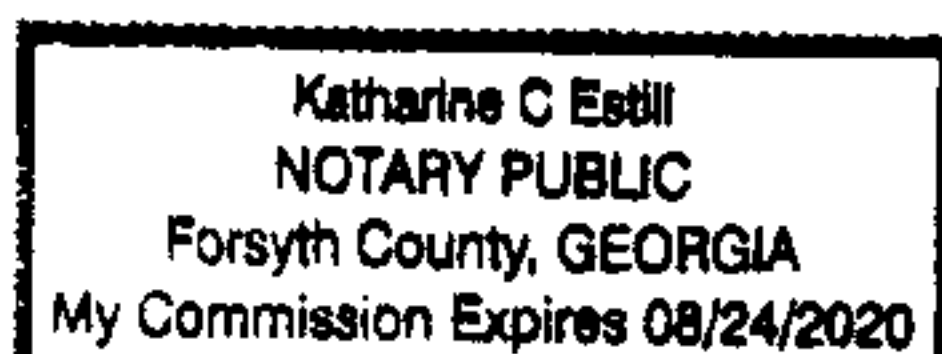
Jessica Elaine Hutto Milster  
JESSICA ELAINE HUTTO MILSTER  
1845 Bridgeridge Trail  
Roswell, GA 30075

STATE OF Georgia )  
:  
Fulton COUNTY )

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Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JESSICA ELAINE HUTTO MILSTER, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 17<sup>th</sup> day of November, 2016.



Katharine C. Estill  
Notary Public

[SEAL]

My Commission Expires: 8/24/2020

(B0891729.1)

FILED IN OFFICE THIS 21<sup>st</sup> DAY  
OF November, 20 16  
AND ORDERED RECORDED.

Alan L. King  
JUDGE OF PROBATE

2016230174

**LAST WILL AND TESTAMENT  
OF  
FAY MAPLES HUTTO BLACK**

\*\*\*\*\*

I, **FAY MAPLES HUTTO BLACK**, a resident of Jefferson County, State of Alabama, being of sound mind and disposing memory, do make, publish, and declare this instrument as and for my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

**ARTICLE I  
MEMBERS OF MY FAMILY**

The provisions regarding a child or children of mine refer to my children, **POLLY HUTTO WESTBERG LEVERT**, **WILLIAM BAXTER HUTTO, JR.** and **DAVID BRYAN HUTTO**, deceased. For all purposes hereunder, my deceased son, **DAVID BRYAN HUTTO**, shall be treated as a child of mine and any share set aside for him shall be divided equally among his living issue, *per stirpes*, if any.

(a) ***Adopted Persons.*** Any adopted person and the adopted person's descendants shall be considered descendants of the adoptive parents and of the ancestors of such adoptive parents, for all purposes hereunder, whether such adoption occurs before or after the execution hereof, provided that such adoption occurs prior to the adopted person attaining fourteen (14) years of age.

(b) ***Survival of Beneficiaries.*** Any person who fails to survive me by ninety (90) days shall be deemed to have predeceased me.

  
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**ARTICLE II  
PERSONAL REPRESENTATIVES**

(a) ***Designation of Personal Representatives.*** I designate and appoint my children, **POLLY HUTTO WESTBERG LEVERT** and **WILLIAM BAXTER HUTTO, JR.**, as my Co-Personal Representatives (*i.e.*, my Co-Executors). If either of them should resign, become incapacitated or for any other reason fail or cease to serve as a Personal Representative, then the other shall serve as sole Personal Representative. If both of them should resign, become incapacitated or for any other reason fail or cease to

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serve as a Personal Representative, then my grandson, **LEIF ERIC WESTBERG**, shall serve as successor Personal Representative.


(b) **Gender and Number.** Whenever the words "Personal Representative" or "Personal Representatives" are used, they shall be construed either as singular or plural, and masculine, feminine or neuter, whichever is proper in accordance with the context.

### **ARTICLE III PAYMENT OF DEBTS AND EXPENSES**

I direct that my debts, the expenses of my last illness, my funeral expenses, and the cost of a suitable marker shall be generally paid out of and charged against the residue of my estate, without apportionment. The costs of administering my estate shall, to the extent possible, not be charged against or paid from property that is exempt from federal estate tax, or for which there is a federal estate tax deduction or exclusion (such as the charitable deduction). The reasonable costs of safeguarding, insuring, packing, and storing my tangible personal property before its distribution, and of delivering each item thereof to the residence of the beneficiary of that item, shall be paid as administration costs of my estate.

### **ARTICLE IV PERSONAL ITEMS**

I give and bequeath my wearing apparel, jewelry, books, pictures, art objects, hobby equipment, collections, automobiles, watercraft and all other objects of my personal use or ornament, including any household furniture and furnishings which I own, together with any insurance thereon, all club memberships, stadium certificates, and airline frequent flyer miles and other loyalty program benefits, to my descendants who survive me, *per stirpes*. I may leave a memorandum containing suggestions for division or the ultimate disposition of certain of the property bequeathed under this Article, but such memorandum shall not affect the absolute nature of this bequest. My Personal Representative shall have full power and authority to determine what objects of property are included in the foregoing descriptions. If any property bequeathed under this Article is distributable to a descendant of mine who has not attained the age of nineteen (19) years, my Personal Representative may, in the sole discretion of my Personal Representative, deliver the same directly to such descendant or to the parent, guardian, or other person having custody of such descendant.

  
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Shelby Cnty Judge of Probate, AL  
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## ARTICLE V RESIDUARY ESTATE

I give, devise, and bequeath all of the rest, residue and remainder of my property, of whatever kind and character and wherever situated (the "residue") as follows:

(a) ***Gift to Trust.*** The residue shall be transferred and paid over to the trustee of the **WESTBERG HUTTO TRUST**, dated the 28th day of May, 1997, as amended and restated. Any property passing hereunder shall be apportioned, held in trust, or distributed as provided therein. Upon delivery of any property to said trustee, my Personal Representative shall be fully and completely discharged as to such property so delivered.

(b) ***Gift If Trust Is Not in Existence.*** In the event said trust shall terminate, be revoked or cease to exist for any reason prior to my death, the residue shall be disposed of in accordance with the terms of said trust as if such terms were set forth in full herein and made a part hereof.

(c) ***Direct Distributions with Respect to Terminating Trusts.*** If said trust is immediately subject to final distribution and termination pursuant to its terms upon receipt of the residue, the residue may be distributed by my Personal Representative directly to the beneficiaries of said trust in order to avoid the transfer of property to the Trustee as a preliminary step to the distribution to the ultimate trust beneficiaries.

## ARTICLE VI PROVISIONS CONCERNING TAXES

(a) ***Payment of Estate and Similar Taxes.*** All estate, inheritance, transfer, legacy, succession, or other death taxes, including interest and penalties thereon (the "estate taxes") payable by reason of my death shall be paid out of, and shall be a charge against, the property comprising my estate for such estate tax purposes, with full right of reimbursement from the recipients of such property, in the manner herein provided. Such estate taxes shall not include generation-skipping transfer taxes. Where I provide that a Pro Rata Share of the estate taxes shall be charged against and paid out of certain property, the recipient of such property shall pay that portion of the total estate taxes paid or payable as the net value of such property bears to my taxable estate. I waive any statutory or other rights of recovery of estate taxes (such as Sections 2206, 2207, 2207A and 2207B of the Internal Revenue Code) only to the extent they are inconsistent with the provisions hereof. It is my intent that this **ARTICLE VI** be a provision directing the apportionment of an estate tax within the meaning of ALA. CODE § 40-15B-3, or any

similar applicable law, and that the provisions of the Alabama Uniform Estate Tax Apportionment Act, and any similar applicable law, shall apply except to the extent that such provisions are inconsistent with this **ARTICLE VI**.

(1) ***Apportionment to Property Passing Outside My Will.*** I direct that a Pro Rata Share of the estate taxes be charged against and paid out of the property that does not pass under my Will but is included in my estate for estate tax purposes, unless I specifically provide otherwise in other provisions of this **ARTICLE VI(a)**. I intend that such estate taxes be charged against and paid out of such property whether such property is taxed because it (i) is subject to a general power of appointment; (ii) was transferred prior to my death; or (iii) passes under a trust, through life insurance, by joint ownership, by operation of law, or otherwise. If I have a power of appointment with respect to such property, then I hereby exercise such power of appointment in favor of my estate to the extent necessary for my estate to recover such taxes.

(2) ***Payment of Remaining Taxes.*** All other estate taxes shall be charged against and paid out of the residue of my estate.

(3) ***Property Exonerated from Taxes.*** Notwithstanding the foregoing provisions, no estate taxes shall be charged against or paid out of:

(i) ***Adjusted Taxable Gifts.*** Any adjusted taxable gifts (within the meaning of Section 2001 of the Internal Revenue Code).

(ii) ***Qualified Benefits.*** Any individual retirement accounts; qualified pension, profit sharing, stock bonus, Keogh, or other qualified retirement plan benefits; section 403 benefits; or similar benefits subject to section 401(a)(9).

(iii) ***Personal Items.*** To the extent possible, any items of my personal property bequeathed and devised under **ARTICLE IV** hereof.

(4) ***Exclusions and Recapture.*** In determining the estate taxes to be charged against and paid out of specific property, the Pro Rata Share of the total taxes paid or payable shall first be determined without any reduction in estate tax attributable to any election for (i) a reduced valuation of the specific property (e.g., Section 2032A of the Internal Revenue Code, which relates to the special valuation of certain real property), (ii) a deduction from the gross estate (other than a charitable deduction) allowed for the specific property, or (iii) an exclusion of the specific property from the gross estate. If such election is made, the benefit





of the reduction in tax attributable to the election shall inure to the property or the holders of interests in the property in the proportion that the amount of deduction, reduced valuation, or exclusion attributable to the property or each holder's interest bears to the aggregate amount of the deductions, reduced valuations, and exclusions obtained from the election with respect to the property. If the estate tax initially apportioned to the specified property or the holder of an interest in the specified property is reduced to zero, any excess amount of the reduction shall reduce ratably the estate tax apportioned to other property or persons who receive interests in the estate. Any additional tax or interest imposed to recapture all of some of the reduction in estate tax (whether due to the disposition, failure to use, or failure to materially participate in the property or business generating the reduction in tax or due to any other reason) shall be charged against and paid by the holders of interests in the property or out of the property generating such additional tax.

(5) ***Deferred Payments and Interest Thereon.*** Notwithstanding any other provision of this ARTICLE VI(a), if payment of a portion of the estate tax is deferred because of the inclusion in the gross estate of a particular interest in property, the benefit of the deferral shall inure ratably to the persons to which the estate tax attributable to the interest is apportioned. The burden of any interest charges incurred on the deferral of estate tax and the benefit of any tax deduction associated with the accrual or payment of the interest charge shall be allocated ratably among the persons receiving an interest in the property.

(b) ***Generation-Skipping Taxes.*** Any generation-skipping transfer tax shall be charged in the manner provided by applicable law. My Personal Representative shall make all decisions concerning generation-skipping transfer taxes. No adjustments shall be made between principal and income, or in the interests of the beneficiaries, to compensate for the effects of such elections and allocation. Any decision by my Personal Representative with respect to the exercise of any tax election or the allocation of my generation-skipping tax exemption shall be final and binding on all persons.

(c) ***Tax Elections.*** My Personal Representative, in its sole and absolute discretion, shall make all elections or other decisions with regard to taxes involving my estate as herein provided. No adjustment between principal and income, nor any other adjustment, shall be required as the result of any such election or decision. Such elections include, but are not limited to, the following:

(1) ***Distributions of Capital Gains and Other Distributable Net Income Elections.*** I authorize, but do not require, my Personal Representative, in the sole discretion of my Personal Representative, to make elections with respect to



income for federal income tax purposes, such as the election to consider some or all the net gains from the sale of capital assets to be part of distributable net income.

(2) ***Other Elections.*** I authorize my Personal Representative, in the sole discretion of my Personal Representative, to make the decision as to whether any deduction shall be taken as an income tax deduction or an estate tax deduction, the decision to elect or not to elect the alternate valuation date for federal estate tax purposes, the decision to elect or not to elect special use valuation, the allocation of adjustments to the basis of property irrespective of whether such property is an asset subject to administration by my Personal Representative, and the decision to elect or not to elect the family-owned business interest deduction.

(d) ***References to the Internal Revenue Code.*** All references herein to the Internal Revenue Code refer to the Internal Revenue Code of 1986, as the same may be amended from time to time, together with the Regulations issued thereunder.

## ARTICLE VII POWERS OF PERSONAL REPRESENTATIVE

In the administration of my estate, my Personal Representative, in the sole judgment and discretion of my Personal Representative, may do and have done all things which, in the judgment and discretion of my Personal Representative, may seem necessary, desirable and proper to promote, protect and conserve the interest of my estate and of the beneficiaries thereof. Without in any way limiting the generality of the foregoing, but solely in order to define with particularity certain of the powers herein vested in my Personal Representative, my Personal Representative shall have and may, in the judgment and discretion of my Personal Representative, except as specifically herein provided, without notice to anyone or order of court, exercise, among others, the following powers, to be broadly construed:

(a) My Personal Representative shall have full power, without the necessity for any order from any court, to sell (for repayment of debts and all other purposes), exchange, lease, or encumber all or any portion of my estate in such manner and upon such terms and conditions as it may approve. My Personal Representative shall also have full power and authority to continue to operate, carry on, repair, renew, insure, and otherwise conserve and maintain any business or business asset of my estate, and to enter into and perform any contracts necessary and desirable in connection therewith, and shall have full power and authority to borrow money on account of my estate and secure the same by mortgage or pledge or any asset thereof, all without the necessity for any order



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from any court or notice to anyone whatsoever. In addition to the powers of management, control and disposition of my estate specifically referred to hereinabove, I hereby vest in my Personal Representative the same full powers of management, control and disposition of my estate which are given to the Trustee under any section of the **WESTBERG HUTTO TRUST**, dated the 28th day of May, 1997, as amended and restated, and I direct that in exercising such powers my Personal Representative shall be free from the control and supervision of any court.


(b) I hereby authorize and empower my Personal Representative to make any payments which the Trustee under the **WESTBERG HUTTO TRUST**, dated the 28th day of May, 1997, as referred to hereinabove, is authorized to make after the transfer to the Trustee of the trust estate of the assets of my estate which I have herein given and devised to it.

#### ARTICLE VIII GENERAL PROVISIONS

(a) ***Bond and Inventory Not Required.*** I direct that my Personal Representative shall not be required to give bond or to file an inventory or appraisal of my estate or share thereof in any court, though the Personal Representative shall make out and keep an inventory and shall exhibit the same to any party in interest at any reasonable time, and I direct that the Personal Representative shall be free from the control and supervision of any court.

(b) ***Ancillary Administration.*** If it becomes necessary to have administration of my estate or of any share thereof in any state in which my Personal Representative shall not be qualified to serve, my Personal Representative may nominate and appoint any person or organization as ancillary administrator thereof, and may compensate such administrator for said services. Such administrator shall complete the administration and make such disposition of the property so administered as my Personal Representative may require, and in doing so shall have the same rights, powers, duties and discretion herein conferred upon my Personal Representative.

(c) ***Compensation.*** Any person named shall be entitled to receive reasonable compensation for such person's services hereunder. Such compensation may be paid without prior approval of any court. I do not intend for this provision to preclude a review of the reasonableness of such compensation by a court of competent jurisdiction in an appropriate proceeding.


  
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(d) ***Environmental Losses and Powers.*** No Personal Representative shall be liable for any loss or depreciation in value sustained by my estate or any trust hereunder as a result of the Personal Representative 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 Personal Representative contributed to the loss or depreciation in value through willful default, willful misconduct, or negligence. My Personal Representative and any successor thereto shall have full power 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.

(e) ***No Contest of Will.*** If any individual shall contest the probate or validity of this Will or any provision hereof, or shall institute or join in (except as a party defendant) any proceeding to contest the validity of this Will or to prevent any provision hereof from being carried out in accordance with its terms (regardless of whether or not such proceedings are instituted in good faith and with probable cause), then such individual shall receive no part of my estate or any trust established hereunder, and shall instead be deemed to have predeceased me for all intents and purposes.

(Testatrix's Signature on Following Page)

  
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Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT

2016230174

IN WITNESS WHEREOF, I, FAY MAPLES HUTTO BLACK, the Testatrix, sign my name to this instrument this 24th day of February, 2015, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will 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 eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Fay Maples Hutto Black  
FAY MAPLES HUTTO BLACK

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this Will as witness to the Testatrix's signing, and that to the best of our knowledge the Testatrix is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Betty L. Reed  
Address: 2001 Park Place North, Suite 700  
Birmingham, AL 35203

Kathleen M. Northcutt  
Address: 2001 Park Place North, Suite 700  
Birmingham, AL 35203

STATE OF ALABAMA )  
:  
JEFFERSON COUNTY )

Subscribed, sworn to and acknowledged before me by FAY MAPLES HUTTO BLACK, the Testatrix, and subscribed and sworn to before me by Betty L. Reed and KATHLEEN M. NORTHCUTT witnesses, this 24th day of February, 2015.

L. Dutton  
Notary Public

[SEAL]

My Commission Expires October 31, 2016

FILED IN OFFICE THIS THE  
21st DAY OF November 2016  
FOR PROBATE AND RECORD.

{B0725773 1}

Alan L. King  
JUDGE OF PROBATE

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Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT

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**CERTIFICATE TO THE PROBATE OF WILL**

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**State of Alabama**  
**Jefferson County**

**CASE NUMBER: 2016-230174**

I, the undersigned, 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 **FAY MAPLES HUTTO BLACK, A/K/A FAY HUTTO BLACK** and that said **will** together with the proof thereof have been recorded in my office.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date the 21<sup>st</sup> day of November, 2016.

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**ALAN L. KING**  
**JUDGE OF PROBATE**

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Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT



IN THE MATTER OF:

IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA

THE ESTATE OF:

FAY MAPLES HUTTO BLACK aka  
FAY HUTTO BLACK,  
DECEASED

CASE 2016-230174

**ORDER ON FILING AND PROBATING THE LAST WILL AND TESTAMENT**

This day came, **POLLY HUTTO WESTBERG LEVERT** and **WILLIAM BAXTER HUTTO, JR.** and filed a petition in writing, under oath, therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of FAY MAPLES HUTTO BLACK aka FAY HUTTO BLACK, deceased, said Will bearing date of the 24<sup>TH</sup> day of February, 2015 and attested by Betty L. Reed and Kathleen M. Northcutt, praying that the same be probated as provided by law; that the petitioner(s) is the sister of said deceased, and is named in said Will as executor(s) thereof; and the next of kin of said deceased is as follows, to-wit: Polly Hutto Westberg Levert, daughter, Helena, AL; William Baxter Hutto, Jr., son, Wilsonville, AL; Jessica Elaine Hutto Milster, granddaughter, Roswell, GA; and David Baxter Hutto, grandson, Sylacauga, AL; of whom are over nineteen years of age and of sound mind.

And thereupon each of the above next-of-kin expressly waiving all notices of the petition to probate said will consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waiver of notices and acceptance of services are the genuine signatures of said next to kin; now on motion of said petitioner(s), 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



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Shelby Cnty Judge of Probate, AL  
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and is of the opinion that said instrument is a 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 the Last Will and Testament of said **Fay Maples Hutto Black aka Fay Hutto Black** 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 **21<sup>st</sup> day of November, 2016.**

*Alan L. King*

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**Judge of Probate**



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Shelby Cnty Judge of Probate, AL  
12/20/2016 10:10:19 AM FILED/CERT

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF )  
FAY MAPLES HUTTO BLACK, )  
Deceased. )


CASE NO. 2016230174

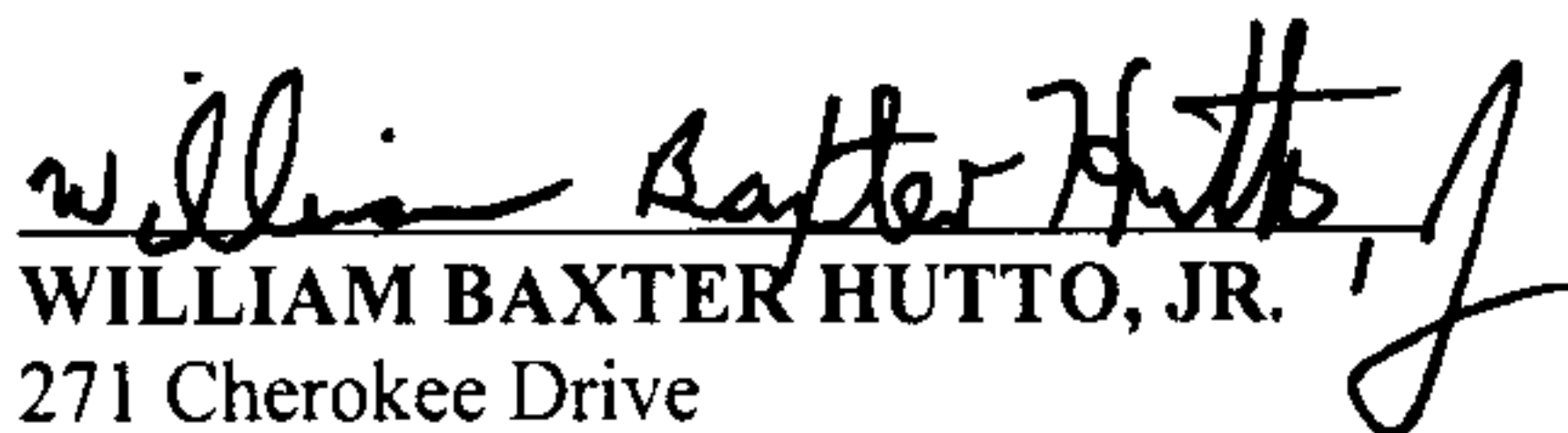
PETITION FOR LETTERS TESTAMENTARY

Come the Petitioners, **POLLY HUTTO WESTBERG LEVERT** and **WILLIAM BAXTER HUTTO, JR.**, and show this Court the following facts:

1. In the Last Will and Testament of **FAY MAPLES HUTTO BLACK**, deceased (the "Decedent"), which Will has been or shall be duly probated and admitted to record in this Court, the Petitioners are named as Co-Personal Representatives thereof.
2. The Petitioners are inhabitants of the State of Alabama, above the age of nineteen (19) years, and are not disqualified under the law from serving as such Co-Personal Representatives.
3. Under the terms of the Decedent's Will, her Co-Personal Representatives are exempted from giving bond as such Co-Personal Representatives.

**WHEREFORE**, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said Will may be executed according to the requests and directions of the Decedent, the Petitioners pray that the Probate Judge of this Court will grant Letters Testamentary to the Petitioners without entering into bond, as is provided by the terms of said Will and authorized by **ALA. CODE § 43-2-851(c)**. This Petition does not require verification under the applicable statutes.

  
**POLLY HUTTO WESTBERG LEVERT**  
426 Tocoa Road  
Helena, Alabama 35080

  
**WILLIAM BAXTER HUTTO, JR.**  
271 Cherokee Drive  
Wilsonville, Alabama 35186

Attorney for Petitioners:  
Nancy Williams Ball, Esq.  
Cabaniss, Johnston, Gardner  
Dumas & O'Neal LLP  
2001 Park Place North, Suite 700  
Birmingham, Alabama 35203  
(205) 716-5296

2016230174

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**BENCH NOTE**

Filed in the Probate Court of Jefferson County, Alabama, prayer granted, and petition ordered recorded this the \_\_\_\_\_ day of November, 2016.

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Judge of Probate

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FILED IN OFFICE THIS 21st DAY OF  
November, 20 16. PRAYER  
GRANTED AND PETITION ORDERED RECORDED  
Alan L. King  
JUDGE OF PROBATE



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IN THE MATTER OF:

IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA

THE ESTATE OF:

FAY MAPLES HUTTO BLACK aka  
FAY HUTTO BLACK,  
DECEASED

CASE 2016-230174

**ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND**

Now on this day came **Polly Hutto Westberg Levert and William Baxter Hutto, Jr.** and files in this Court their petition in writing, under oath, praying that Letters Testamentary upon the Will of **Fay Maples Hutto Black aka Fay Hutto Black**, deceased, be issued to them.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to **Polly Hutto Westburg Levert and William Baxter Hutto, Jr.** and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

**DONE** this date, November 21, 2016.

*Alan L. King*

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**Judge of Probate**



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**LETTERS TESTAMENTARY**

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**IN THE MATTER OF THE ESTATE OF:**

**IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA**

**FAY MAPLES HUTTO BLACK, A/K/A  
FAY HUTTO BLACK,  
Deceased**

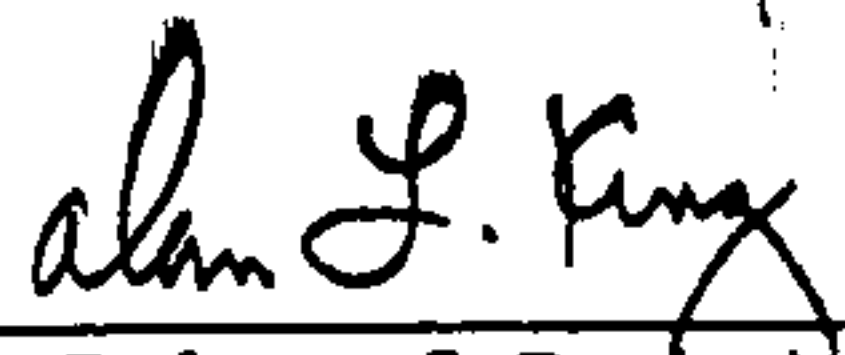
**CASE NO. 2016-230174**

**LETTERS TESTAMENTARY**

The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to **POLLY HUTTO WESTBERG LEVERT and WILLIAM BAXTER HUTTO, JR.**, 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 §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as Amended).

**WITNESS** my hand this date, **21<sup>st</sup> day of November, 2016.**


(SEAL)

  
\_\_\_\_\_  
**Judge of Probate**

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I, ALAN L. KING, Judge of Probate Court 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 still in full force and effect.

**WITNESS** my hand and seal of said Court this date

  
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12/20/2016 10:10:19 AM FILED/CERT

\_\_\_\_\_  
**Judge of Probate**

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**THE STATE OF ALABAMA  
JEFFERSON COUNTY**

**PROBATE COURT  
Case No. 2016-230174**

**In the matter of the Estate of:**

**FAY MAPLES HUTTO BLACK, A/K/A  
FAY HUTTO BLACK,  
Deceased**

**LETTERS TESTAMENTARY UPON LAST WILL AND TESTAMENT, of said decedent, having been granted to the undersigned on the 21st day of November, 2016 by the Honorable Alan L. King, Judge of the Probate Court of Jefferson County, Alabama, notice is hereby given that all persons having claims against said estate are required to file an itemized and verified statement of such claim in the office of the Judge of Probate within six months from above date, or said claim will be barred and payment prohibited.**

**POLLY HUTTO WESTBERG LEVERT  
WILLIAM BAXTER HUTTO, JR.  
Personal Representative (s)**

**NANCY WILLIAMS BALL  
Attorney of Record**

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