WILL

STATE OF ALABAMA

JEFFERSON COUNTY

15870

I, J. T. Doster, a resident citizen of Jefferson County, Alabama, being of sound mind and disposing memory, and over the age of twenty-one years, do hereby make, publish and declare this to be my last will and testament, hereby revoking any and all former wills heretofore made by me.

ITEM ONE.

I desire and direct that all of my just debts, including my funeral expenses and the expenses of my last illness, be paid by my executor hereinafter named as soon after my death as is practicable.

ITEM TWO.

I give, devise and bequeath to my wife, Mary S. Doster, absolutely, all of the household furnishings automobile or automobiles, clothes, jewelry and all other personal effects which I may own at the time of my death.

ITEM THREE.

I give, devise and bequeath all of my property, real, personal and mixed, except the property set out in Item Two above, to my beloved wife, May S. Doster, for her use and benefit during her natural life, with the power to convey, sell, mortgage or otherwise encumber or dispose of any or all of the said property, should she deem it necessary or advisable for her comfort, unkeep and desires. It is my intention to give my said wife only a life estate in the above mentioned property, with the power of selling, conveying, disposing or otherwise encumbering said property if it should become necessary or advisable for her support. In the event my said wife, Mary S. Doster should predecease me, all of the above mentioned property, as hereinabove set out in Items Two and Three, shall revert to my estate, and descend as hereinafter set forth, as if my said wife had not been mentioned in this my last will and testament.

ITEM FOUR.

I give, devise and bequeath all the rest and residue of my property, real, personal or mixed, including the property set out in Item Three above, which is subject to the life estate of my said wife, Mary S. Doster, share and share alike to my children, Thomas White Doster, Charles S. Doster, James T. Doster, Jr., Harriet D. Burton, and the Special Trustees for Nancy S. Doster, which said trust is provided for in Item Five of this will. It is my intention that all of my estate, subject to the life estate of my wife, Mary S. Doster, be divided equally among my five children, except that the distributive share belonging to Nancy S. Doster shall be set aside and held by the Special Trustees for Nancy S. Doster as hereinafter provided.

In the event that any of my said children named above should predecease me without leaving lineal descendants, then the part of my said estate which is given to said child shall revert to my estate and shall be distributed as if said child had not been mentioned in this will. In the event any of my said children should predecease me, leaving lineal descendant or descendants surviving, the said lineal descendant or descendants shall take the distributive share to which my said child would have been entitled under this will.

ITEM FIVE.

- I, give, devise and bequeath the distributive share of my estate which my daughter, Nancy S. Doster, shall become entitled to Charles S. Doster, James T. Doster, Jr., and Harriet D. Burton as Special Trustees for Nancy S. Boster (hereinafter called Trustees), same to be held by them in trust for the purposes hereinafter set out:
- 1. I direct and empower the said Trustees to take over, manage and control the property belonging to the trust estate and the said Trustees are authorized to sell, transfer, dispose of or otherwise encumber any or all of the trust property for the purpose of administering this trust and such sale, transfer, disposition or encumberance of said property may be made without the order of any court and at public or private sale. It is not my purpose to render obligatory the sale of any of the trust property but to empower the Trustees to do so in the event they deem it wise or advisable to provide for the comfort, maintenance and

welfare of my daughter, Nancy S. Doster. It is my intention to make/three children joint Trustees for the purpose of administering this trust, executing deeds, mortgages and other conveyances and encumbrances, but the Trustees may select one of their number to handle the routine work entailed in the management of the trust estate and any release, receipt or acquitance executed by said trustee selected shall have full force and effect without the necessity on the part of any person, firm or corporation seeing to the proper application of such money or value in accordance with the terms of this trust.

- 2. I instruct that the Trustees shall not give any bond for faithful performance of their duties in connection with this trust and that they will not be entitled to receive any compensation for their services except they will be entitled to any reasonable expense incurred in the performance of their duties as such trustees.
- 3. I authorize and direct the Trustees to pay over to my daughter, Nancy S. Doster, such amounts as they may deem wise and advisable for her comfort, maintenance and support, such amounts to be paid from the income of the said trust estate first and if that is insufficient, then any or all of the corpus may be used for the comfort, maintenance and support of my daughter, Nancy S. Doster. It is my intention herein to give the Trustees full power and authority to invest, reinvest, sell, transfer, control or otherwise deal in the property belonging to the trust estate to the end that the income from the same shall adequately maintain and support my daugher, Nancy S. Doster in so far as this is possible. However, it is my desire that my daugher, Nancy S. Doster, be supported and maintained by this trust estate in a reasonable and proper manner at all times in so far as it is possible.
- 4. In the event my daughter, Nancy S. Doster, should die leaving a last will and testament, I direct the Trustees to pay over and deliver free from this trust, all of the property in the said trust estate to the executor or executors named in her said will as soon as such executor or executors have been appointed by a duly authorized court. In the event my said daughter, Nancy S. Doster, should die intestate leaving lineal descendant or descendants, then I direct that the Trustees pay over and deliver to said descendant or descendants, share and share alike, all of the trust property free from this trust, to my other children or their lineal descendants per stirpes.
- 5. In the event any or all of my said children, Charles S. Doster, James T. Doster, Jr., and Harriet D. Burton, shall fail to accept the trust or shall be disqualified for any reason from performing their duties thereunder or die either before or during the administration of the trust hereinabove set out, his or her successor Trustee shall be selected by a vote of the other remaining trustee or trustees without the necessity of any court proceeding but in the event that it should be impossible to so select this successor thustee, because of a failure of a person nominated as such trustee to receive the majority of the votes of the remaining Trustees or for any other reason, then it is my desire that application be made to the proper court of Jefferson County, Alabama, for the appointment of a successor Trustee or Trustees and that such Trustee or Trustees when selected or appointed shall serve as Trustee or Trustees. Such successor Trustee or Trustees as provided for herein shall have the powers, rights and duties as hereinabove given to Charles S. Doster, James T. Doster, Jr. and Harriet D. Burton as Trustees and shall not be required to make a bond for the faithful performance of the duties as such trustee unless ordered to do so by a court having jurisdiction upon good cause being shown. It is my request that in the appointment or selection of a successor Trustee or Trustees that due consideration be given the members of my family but that this request shall in no way limit or bind the selection or appointment of a successor Trustee or Trustees. It is my intention that there shall be at all times three trustees in so far as practicable.
- 6. I direct that this trust shall terminate as set out above upon the death of my daughter, Nancy S. Doster, and the trust estate distributed as soon as practicable after her death.

ITEM SIX.

- 7.

I appoint my son, Charles S. Doster, of Birmingham, Alabama, as executor of this my last will and testament, to serve without compensation and direct that letters testamentary shall be issued to him without bond. I also direct that he shall not be required to file an inventory or appraisal of my estate, and shall

empower my said executor to sell and convey all or any part of my estate, at public or private sale, also to barter, exchange, convert, or make any other disposition he may see fit of all or any part of my estate, publicly or privately, without the order of any court. I also empower my executor to extend or renew any sums and on such indebtedness which may be owing by my estate, and to borrow money in behalf of my estate, in such/terms as he may see fit, and to pledge or mortgage all or any part of my estate as security therefor, all without the order of say and to pledge or mortgage all or any part of my estate as security therefor, all without the order of say and to pledge or mortgage all or any part of my estate as security therefor, all without the order of say and to pledge or mortgage all or any part of my estate as security therefor, all without the order of say and on such the powers hereinabove conferred are for the purpose of enabling my executor to administer my estate, including the payment of my lawful debts.

IN WITNESS WHEREOF, I, J. T. DOSTER, have hereunto set my signature and seal on this the 28th day of July, 1941, hereby declaring the instrument contained on this and the six (6) preceding pages to be my last will and testament.

J. T. Doster (SEAL)

The foregoing was SIGNED, PUBLISHED AND DECLARED by J. T. DOSTER to be his last will and testament, in our presence, and we, at his request and in his presence and in the presence of each other, have hereunto set our signatures as attesting witnesses, on the day the said instrument bears date.

Herman P. Cobb

Lee Cotten

Andrew W. Griffin

* * *

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA, I
JEFFERSON COUNTY.

I, H. R. Howze, 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 J. T. Doster, Deceased and that said Will together with the proof thereof have been recorded in my office in Book of Wills, Vol. 52

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 26 lay of August, 1943.

H. R. Howze, Judge of Probate.

Official Seal

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CERTIFICATE TO COPIES

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

PROBATE COURT

I, H. R. Howze, Judge 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 and Testament of J. T. Doster, deceased, together with the Certificate to the Probate thereof, as the same appears on file and of record, in this office.

Given under my hand and official seal, this the 27th day of August, 1943.

Official Seal

H. R. Howze,

Judge of Probate

Filed for record in this office on the 17th day of November, 1943, at three o'clock P. M. and duly recorded in Deed Record Vol. 117 on page 455.

No tax due on this instrument - L. C. Walker, Judge of Probate