WILL RECORD 65 page 392 19740

STATE OF ALABAMA, JEFFERSON COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That I, B. R. Thornton, of Birmingham, in the State of Alabama, and over the age of twenty-one years, and being of sound mind, and disposing memory, do make and publish this my last will and testament, revoking all former wills by me at any time heretofore made.

As to my worldly estate, and all the real, personal, or mixed property of which I shall die seized and possessed, or to which I shall be entitled at the time of decease, I devise, bequeath and dispose thereof in the manner following, to-wit:

FIRST: My will is that all my just debts and funeral expenses shall, by my Executrix, hereinafter named be paid out of my estate, as soon after my decease as practicable.

SECOND: I give, devise, and bequeath to my beloved wife, Eauphiamia K. Thornton, all of my real property, personal property, choses in action and mixed property of every character whatsoever of which I may die seized and possessed, own an interest in, or to which I may have any right, title, or interest at the time of my decease, for and during the natural life of my beloved wife, and will and direct that my Executrix hereinafter named shall have full authority to sell, use, convey and appropriate any part of said estate as my said Executrix may think proper for her support and maintenance, and without any order, or authority from any Court authorizing the use, sale, or conveyance of said property, and as to so much of said estate as my said Executrix may use, sell, or appropriate, as aforesaid, the title that my Executrix may convey is not confined to the life interest of my beloved wife, but extends to an absolute estate in so much of said property as may be necessary for my Executrix to use, sell, appropriate or convey for the maintenance and support of my wife.

THIRD, All the rest,-residue, reversion or remainder of my estate, real, personal, and mixed property which may

x B.R. Thornton

be left of my estate at the death of my beloved wife, Eauphiamia K. Thornton, I give, devise and bequeath to my brother, David Lee Thornton.

FOURTH: In the event that I should survive my beloved wife, Eauphiamia K. Thornton, I will, bequeath, and devise all of my estate, real, personal, and mixed property of every character whatsoever of which I may die seized and possessed, own an interest in, or to which I may have any right, title or interest at my decease, to my brother David Lee Thornton.

FIFTH: In the event that I should survive my beloved wife, Eauphiamia K. Thornton, I nominate and appoint my brother David Lee Thornton, as Executor of this my last will and testament, and declare that he shall not be required to give any bond for the performance of his duties arising hereunder, nor shall he be required to make or file an inventory, or to make any report or final settlement to any court of the property coming into his hands as such Executor, or in the performance of his duties arising hereunder as such Executor.

SIXTH: In the event that I should not survive my beloved wife, Eauphiamia K. Thornton, , I mominate and appoint my beloved wife, Eauphiamia K. Thornton, as Executrix of this my last will and testament, and declare that she shall not be required to give any bond for the performance of her duties arising hereunder; nor shall she be required to make or file any inventory, or to make any report, or final settlement to any Court of the property coming into her hands, or in the performance of her duties arising hereunder as such Executrix.

IN TESTIMONY WHEREOF, I, the said B. R. Thornton, have to this my last will and testament, contained in this and two preceding sheets, set my hand and seal, to-wit: My hand to the bottom of the preceding sheets, and my hand and seal to his last sheet, and my seal at the top of the sheets where all sheets are bound

x B.R. Thornton

together on this the 4 day of February, 1944.

Signed, sealed, and delivered by the said B. R. Thornton as his last will and testament, in the presence of us, who, at his request, and in his presence, and in the presence of each other, have subscribed our names as witnesses thereto on the day the same bears date.

Witness

Clarace W. Luck

Pauline Bird

Cecil Duke

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,
JEFFERSON COUNTY

I, EUGENE H. HAWKINS, 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 geniune last Will and Testament of B.R. Thornton Deceased and that said Will together with the proof thereof have been recorded in my office in Book of Wills, Vol. 65 page 392-394.

In witness of all which I hereto set my hand, and the seal of the said Court, this the 3rd day of Sept. 1946.

Eugene H. Hawkins

Judge of Probate

B.R. THORNTON, DECEASED, ESTATE OF
ORDER PROBABING HIS WAST WILL AND TESTAMENT

Case No. 19740

PROBATE COURT

September 3, 1946

This matter coming on to be heard upon the petition as amended, of David Lee Thornton, which was heretofore filed in this Court for the probate of an instrument of writing, purporting to be the Last Will and Testament of B. R. Thornton, Deceased;

Comes now the said petitioner and moves the Court to grant said petition as amended; and it appearing to the Court that the acceptance of service and or waivers of notice by Tera Hosey, Fannie Lee Winningham,

Mrs. Ida Lee Morgan, Mrs. Lola Boggus, Earl F. Thornton, Mrs. Thelma Gladys Davis, Mrs. Hughey A. Kilgore,
and W. D. Thornton, the next of kin of the said decedent, have been filed in this Court, and the Court having
ascertained by sufficient evidence that the signatures affixed thereto are the genuine signatures of the said
next of kin; and it further appearing to the satisfaction of the Court that notice of the filing of said
petition and of the time appointed for hearing the same has been given Arthur J. Thornton and Hugh L. Thornton,
in pursuance of law and in strict accordance with the former order of this Court made and entered in this
cause on the 16th day of July, 1946. Now on motion of said petitioner, the Court proceeds to hear said
petition, as amended; and after due proof and hearing had according to the laws of this State, it is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the Last Will and Testament of B.R. Thornton, Deceased, be duly admitted to probate and ordered to be recorded together with the proof thereof, and all other papers on file relating to this proceeding. It is further ordered that petition pay the costs of this proceeding.

B. R. THORNTON, DECEASED, ESTATE OF O)

DECREE CN FINAL SETTLEMENT

Case # 19740

PROBATE COURT
May 19, 1947

And now on this day comes David Lee Thornton, as Executor of the estate of B. R. Thornton, deceased, and presents to the Court under oath his petition for a final settlement of said estate; and moves the Court to proceed with the hearing of said petition.

And it appearing to the Court that more than six months have elapsed since the appointment of said Executor, and that all claims filed in this Court against the estate of the said B. R. Thornton, deceased, within the time required by law have been rejected and disallowed by order of this Court.

And it further appearing to the Court that David Lee Thornton, is the sole beneficiary named in the last will and testament of B. R. Thornton, deceased, and that he has complied with the terms of said will by paying over and delivering to himself, individually all the property and assets in his hands belonging to estate, as shown by his petitionf iled herein.

It is further ordered and decreed by the Court that said petition be and the same is hereby granted and ordered recorded, and that the said David Lee Thornton, as Executor be and he is hereby discharged from all liability as such Executor.

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CERTIFICATE TO COPY

THE STATE OF ALABAMA
JEFFERSON COUNTY.

PROBATE COURT

I, Tom C. Garner, Judge of the Court of Probate, in and for said County in said State, hereby certify that the foregoing contians a full, true and correct copy of the Last Will and Testament, together with the Certificate to the Probate thereof, the order probating and the decree on final settlement, in the matter of the Estate of B. R. Thornton, deceased, as the same appears on file and of record, in this office.

Given under my hand and official seal this the 28th day of November, 1947.

Tom C. Garner
Judge of Probate

Filed in the office of the Probate Judge the 3rd day of December, 1947 at 2 o'clock P.M. and recorded in the Deed Record 131 on page 14 on this the 8th day of December, 1947.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate