

17922

STATE OF ALABAMA)

JEFFERSON COUNTY)

WILL
RECORD

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I, Thaddeus C. Burgess, commonly known as T.C. Burgess, a resident of Jefferson County, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my last Will and Testament, hereby expressly revoking any and all other Wills heretofore made by me.

ITEM ONE: I will and direct that all of my just debts and charges against my estate be paid by my Executrix, hereinafter named, as soon after my death as is convenient.

ITEM TWO: Subject to the payment of my just debts and charges against my estate, I give, devise and bequeath all of my property of whatsoever kind and character to my wife, Daisy Pearl Burgess, in trust to hold, manage and control the same for the uses and purposes hereinafter set forth. My wife shall be entitled to all of the income and use of said property during her lifetime for her own personal use and benefit and in the event she deems it necessary for her comfortable, care, maintenance and support to use and consume any portion of the principal thereof, she is authorized to use and consume so much of said principal or corpus as she may see fit. My wife shall have power to manage and control said property with all of the rights and powers with respect thereto as if she were the absolute and unconditional owner thereof free from any trust. She is especially authorized to sell, convey or otherwise dispose of absolutely and in fee simple any property belonging to my estate and to use or consume the proceeds thereof or re-invest the same or any other funds belonging to my estate as she may see fit and from time to time change the investment thereof. My wife is also empowered to borrow any money which she may deem necessary for the proper protection of my estate and to mortgage or pledge any property belonging to my estate as security therefor.

At the death of my wife, or at my death should my wife not survive me, I give, devise and bequeath all of said property remaining, together with any reinvestments thereof or the proceeds thereof remaining undisposed of, to my son, John Hugh Burgess, and my daughter, Sadie Mae Bluemly, share and share alike, the descendants of any deceased child taking per stirpes, the share which the parent would have taken if living.

ITEM THREE: I hereby constitute and appoint my wife, Daisy Pearl Burgess as the Executrix of this, my last Will and Testament, and hereby direct that as such she shall not be required to give bond nor to file an inventory of my estate in any court. In the event for any reason my wife should fail or cease to act as Executrix, then I constitute and appoint my son, John Hugh Burgess and my daughter, Sadie Mae Bluemly, or either of them who may act as the Executors or Executor of this, my will, and also direct that neither of them shall be required to give bond nor to file an inventory of my estate.

I hereby authorize and empower the Executors or Executor of this, my last Will and Testament, to sell at public or private sale and without order of court and by proper instrument convey any or all of the property belonging to my estate at such price and upon such terms and conditions as may be deemed best if and when such a sale shall be deemed proper or for the interest of my estate. I also authorize the borrowing of any money which may be deemed necessary for the protection of my estate and such indebtedness may be secured by the mortgage or pledge of any property belonging to my estate and such personal representative shall also be authorized from time to time to renew or extend

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any indebtedness existing against my estate or any property belonging thereto.

IN WITNESS WHEREOF, I, Thaddeus C. Burgess, have hereunto set my signature and seal, on this 10th day of Feb., 1944, hereby declaring this page and the preceding page to constitute my last will and testament, which preceding page is identified by my signature on the margin thereof.

Thaddeus C. Burgess (SEAL)

Thaddeus C. Burgess in our presence and in the presence of each of us, declared the foregoing to be his last will and testament and signed the same in our presence and in the presence of each of us, and we at his request and in his presence and in the presence of each other, have subscribed our names as attesting witnesses to said will on the day of the date of said will.

Sheldon B. Bueyer
Hazel L. Goodwin

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CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

H. R. HOWZE
I, **E. GENE 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 genuine last Will and Testament.

Thaddeus C. Burgess

Deceased and that said Will

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 58 Page 218-219

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 16 day of March, 1945

H. R. Howze, Judge of Probate.

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 contains a full, true and correct copy of the Last Will and Testament of Thaddeus C. Burgess, Deceased, together with the Certificate to the Probate thereof,

~~In the presence of~~

as the same appears on file and of record, in this office.

Given under my hand and official seal, this
the 12th day of May, 1954
Tom C. Garner
Judge of Probate.

Filed in the office of the Probate Judge on the 2 day of Sept 1954 at 10 o'clock P M.
and recorded in Rec Book 100 Page 30 this 4 day of Sept 1954
Deed Tax _____ Mortgage Tax _____ has been paid.
J.C. Walker, Judge of Probate