

State of Alabama,
Chilton County.

I, John T. Ellis, of the City of Clanton, Chilton County, Alabama being of sound mind and disposing memory, do hereby make publish and declare this to be my Last Will and Testament. I hereby revoke any and all wills heretofore made by me at any time.

1. It is my will that my Executor hereinafter named, pay all my just debts as soon after my death as may be convenient.

2. I hereby give, devise and bequeath to my son, Edward Erle Ellis, as Trustee, for the uses and purposes hereinafter mentioned, the following described property, to-wit: All personal property owned by me of every kind and description, including bonds and bank account; also all real and personal property owned by me and in which I may have any interest and known as the Ellis Home and Tourist Court in the City of Clanton, Alabama, including all the furnishings, fixtures, equipment and supplies, and all real property which is now or which may be connected with or which may form apart of said Home and Tourist Court at the time of my death. It is my further will and I so direct that none of the lands connected with or which constitute a part of said Home and Tourist Court shall be sold, conveyed, divided, encumbered or disposed of in any way within five years from the date of my death. It is my further wish and I so will that my son Edward Erle Ellis, shall control, possess and manage said property as Trustee, for the benefit of himself and my other four children, hereinafter named and as may be hereinafter provided. The said Edward Erle Ellis as such Trustee shall have authority to manage the said property, to pay all taxes, insurance, repairs and to make all necessary improvements and additions thereto and shall have authority to pay all other proper and necessary expenses in and about the management, upkeep and repair of said property and the operation of the said Home and Tourist Court, including reasonable compensation to himself as manager and operator of said business. Should the said Edward Erle Ellis as such Trustee in his sole judgment, have a surplus on hand in money or personal property which may be converted into money, over and above the amount necessary to improve, equip, manage, operate and repair said Ellis Home and Tourist Court as herein above provided, then the said Edward

Erle Ellis as such Trustee may divide such surplus into five equal parts and pay one of such parts to each of my three children as follows: To my step-daughter, Jatie L. Longshore, one part or one-fifth; to my daughter, Mary Ellis Smith, one part or one-fifth and to my son Edward Erle Ellis, one part or one-fifth. The two remaining parts, that of my son Latham Ellis and that of my son, John T. Ellis, Jr., shall be paid, handled and dealt with as hereinafter provided.

3. All the rest and residue of my real property I do hereby give, devise, and bequeath as follows: To my step-daughter, Jatie L. Longshore, a one-fifth undivided interest; to my daughter, Mary Ellis Smith, a one-fifth undivided interest and to my son, Edward Erle Ellis, a one-fifth undivided interest. The remaining two-fifths interest shall be handled as hereinafter provided.

4. The remaining two-fifths interest in said real property and the two-fifths interest in the property dealt with in paragraph two above. I hereby give, devise and bequeath to my son, Edward Erle Ellis and Mary Della Latham, as Trustees for my sons, Latham Ellis and John T. Ellis, Jr. to share therein and to share alike. It is my will that said interests shall be held, managed and controlled by said Trustees, subject to all rights, limitations and restrictions hereinabove and hereinafter conferred on my Trustee, Edward Erle Ellis. It is my further will that the said property shall be held by my Trustees for the benefit of my two sons herein named and that the profits and income of such property to which my two sons may be entitled to as herein provided shall be paid to my two sons for their support and maintenance or used for their benefit and enjoyment, as my Trustees, may in their discretion, decide. In the event of the death or inability of either of such Trustees to serve, then it is my wish that the surviving or remaining Trustee shall serve.

5. It is my further will and I so direct that my Executor herein after named shall have the sole power and authority to sell and convey all real and personal property owned by me at the time of my death except the Ellis Home and Tourist Court and all property connected there with as herein above provided and shall have the power and authority to execute and deliver to any purchaser a deed, bill of

sale or any other proper conveyance, to any of the property sold by him. In the event of a sale of any of the property owned by me at the time of my death by my Executor, as herein provided, the purchase money, after the payment of all reasonable and necessary expenses of sale, shall be divided into five equal parts and shall be paid by him to my children or my Trustees as herein above provided, in the event my Executor in his discretion elects to divide the same.

6. It is my further will that none of my next of kin nor the legatus or distributors or their decendants named in this will shall have any authority to sell, mortgage or dispose of any property or any interest in property owned by me at the time of my death or any part of the Ellis Home and Tourist Court or property connected therewith contrary to my intentions as expressed in this will, or without the approval of all of my children named in said will and my Executor. In the event that any legatee or distributor named in my will or any of their decendants should encumber in any manner or attempt to sell any part of my ~~property~~^{property} through court or otherwise or take any part in any proceeding to sell any of my rproperty, then it is my wish and it is my will that such person shall not share in any part of my Estate.

7. In the event of the death of any one of my children, (five in number) made beneficiaries under this will, it is my will that the lineal descendants of such child shall take the interest of such deceased child but subject to all limitations and restrictions and to the same Trusteeship as such deceased Child. In the event any one of my said children should die without lineal descendants and said child shall by his last will dispose of said estate, it is my will that the benenficiaries named in said will take such deceased child's interest under my will subject to all limitations, restrictions and Trusteeship herein provided.

8. I hereby nominate and appoint my son, Edward Erle Ellis, Executor of my Last Will and Testament and I expressly request that said Executor and the Trustees named in this will be exempted from giving any official bond or from making any report to any Court whatever.

In witness whereof, I have hereunto set my hand and seal and publish and declare this to be my last will, on this the 31 day of August, 1946.

John T. Ellis

Signed, sealed, published, and declared by the above named John T. Ellis, as and for his Last Will and Testament, in the presence of us, who, in his presence, and at his request, and in the presence of each other, have hereunto set our hands as witnesses.

State of Alabama, Chilton County

J. A. Nivens

I hereby certify that the within conveyance was filed in this office for record Sept 22 1949

Mary Virginia Bice

at 10:00 o'clock A. M., and recorded in Will Record 4 page 166-168 and examined

Grady Reynolds

W. L. Parrish
 Fee \$ Judge of Probate

State of Alabama,
 Chilton County.

I, John T. Ellis, hereby make this codicil to my Last Will and Testament, which was duly executed by me on the 31 day of August, 1946.

1. I amend paragraph 2 of my said Last Will and Testament by striking therefrom the following: "The two remaining parts, that of my son, Latham Ellis and that of my son, John T. Ellis, Jr. shall be paid, handled and dealt with as herein after provided." And also by adding thereto the following: "And to my sons, Latham Ellis and John T. Ellis, Jr. each one part, or a one fifth part each."

2. I also amend Paragraph 3 of said Last Will and Testament by striking therefrom the following: "The remaining two-fifths interest shall be handled as herein after provided, and by adding thereto the following: "And to each of my sons, Latham Ellis and John T. Ellis, Jr., a one-fifth undivided interest."

3. Also strike from said will and cancel and revoke paragraph 4 of the same.

4. I also amend Paragraph 7 of said Last Will and Testament by striking therefrom the following: "but subject to all limitations and restrictions and to the same Trusteeship as such deceased child."; also, "subject to all limitations, restrictions and Trusteeship herein provided."

In all other respects I confirm my said Last Will and Testament.

My intention by making this codicil being that my sons, Latham Ellis and John T. Ellis, Jr. shall receive and share in my property freed of the trusts set out and provided for in said Will.

Witness my hand and seal this the _____ day of May, 1947.

John T. Ellis

Signed, sealed, published and declared by the above named John T. Ellis as and for his Last Will and Testament, in the presence of us, who, in his presence, and at his request, and in the presence of each other, have hereto set our hands as witnesses.

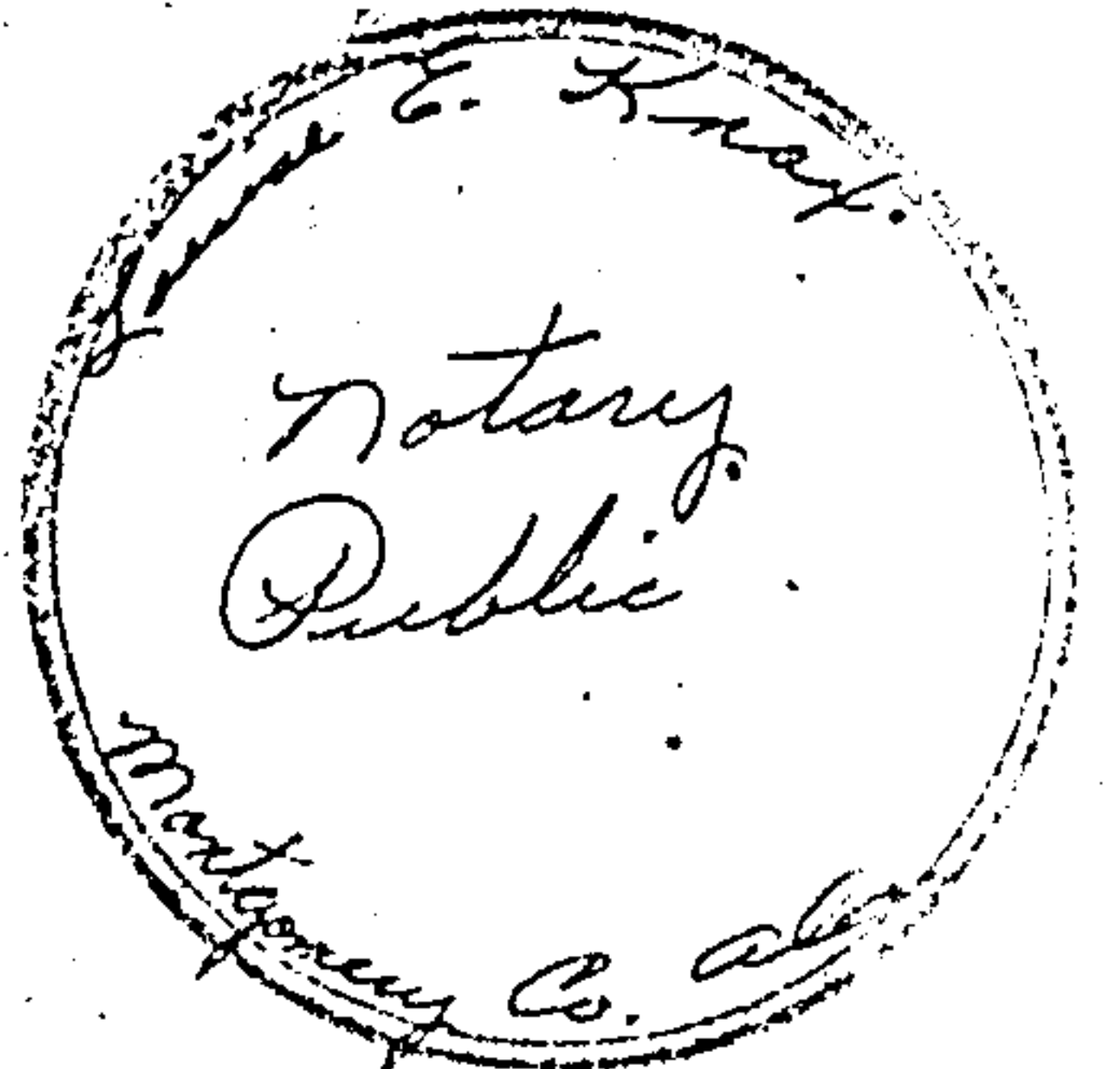
State of Alabama, Chilton County

I hereby certify that the within conveyance was filed in this office for record Sept 22 1949 at 10:00 o'clock A. M. and recorded in Will Record 4 page 166-169 and examined W. L. Parrish

For S. _____ Judge of Probate

Louise E. Knox
Notary Public

Mary D. Heflin



The State of Alabama
Chilton County.

I, W. L. Parrish, 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 John T. Ellis deceased; and that said Will together with the proof thereof, has been recorded in my office in Book of Wills, Vol. 4, Page 166-169.

In witness of all of which I have hereto set my hand and the seal of the said Court, this the 7th day of Oct., 1949.

W. L. Parrish
Judge of Probate

State of Alabama
Chilton County.

I, M. D. TINGLE, Judge of Probate, in and for said State, and said County, hereby certify that the foregoing is a true and correct copy of the Will of John T. Ellis, filed in my office Sept. 22, 1949, Will Record 4 Pages 166-169.

Given under my hand and official seal this the 16th day of Feb.,

M. D. Tingle
JUDGE OF PROBATE



STATE OF ALABAMA, SHELBY COUNTY

I, L. C. Walker, Judge of Probate, hereby certify that the within was filed for record the 22 day of Feb 1956 at 1 o'clock P. M. and recorded in Will Record 128 Page 250 and the mortgage tax of _____ has been paid.

Judge of Probate