

17043

Birmingham, Alabama
September 28, 1943.

I, Meta S. Abrams, being of sound mind and disposing memory, do hereby make, publish and declare this my last will and testament, hereby revoking any and all former wills and codicils thereto by me at any time heretofore made, in the manner and form following, that is to say:

ITEM ONE: I will and direct that all my just debts, and all expenses and charges against my estate be paid as soon after my death as practicable, and I will and direct that all such debts, expenses and charges, including taxes accrued at the time of my death, and Federal Estate Taxes of all kinds be paid from my personal property as far as said personal property will go, before the real estate shall be chargeable with said debts, expenses and charges.

ITEM TWO: I give and bequeath to my niece, Claire Matile Schwab, daughter of my brother, H. J. Schwab, or to her heirs at law under the laws of Alabama, in force at the time of my death if she be not then living, all my jewelry of every description.

ITEM THREE: In the event that neither my husband, Alex L. Abrams nor my half sister, Felice B. Keene, now of Jackson, Mississippi, survive me, I give, devise and bequeath all the rest and residue of my property, real, personal or mixed, wheresoever situated to my niece, Claire Matile Schwab, daughter of my brother, Harold J. Schwab, or to her heirs at law under the laws of Alabama at the time of my death, if my said niece be not living at the time of my death.

ITEM FOUR: In the event my husband, Alex L. Abrams, and my sister, Felice B. Keene, both survive me, or either of them survive me, I give, devise and bequeath all the rest and residue of my property as described in Item Three hereof to the Trustees hereinafter appointed for the following purposes and uses, charged with the following powers and duties, viz:

(1) If both my said husband and sister survive me, the said Trustees shall take charge of all the said rest and residue of my property, hold and manage same for the life of the survivor of my husband and said sister, and pay the net income derived from said property from time to time as received, as follows:

1/3 thereof to my husband, Alex L. Abrams, for and during his natural life,
1/3 thereof to my sister, Felice B. Keene, for and during her natural life, and
1/3 thereof to my said Niece, Claire Matile Schwab, or to her heirs at law,
as herein defined if she be not living at the time of my death, or should die prior to the death of the survivor of my husband and sister, Felice.

(2) If my husband and sister, Felice, do not both survive me, but one of them do survive me, then the Trustees shall pay the income described in Section (1)

Meta S. Abrams

hereinabove, one-half to the survivor of the two for and during his or her natural life, and one-half to Claire Matile Schwab, or her heirs at law if she be not living at the time of my death, or should die prior to the death of the survivor of my husband and sister, Felice.

(3) At the death of the survivor of my husband and sister, Felice, the Trusteeship shall cease, and the Trustees shall then deliver all the property, real, personal or mixed, remaining in their hands to Claire Matile Schwab, or to her heirs at law as herein defined, if she be not living at the time the Trusteeship is at an end, to have and to hold the said property in her or their own absolute right and ownership, it being my intention that if neither my husband nor my sister, Felice, survive me, the whole of my estate shall immediately vest in my niece Claire Matile Schwab, or in her heirs at law under the laws of Alabama in force at the time of my and death, in case either or both my husband and sister survive me, and that said estate shall immediately vest in said Claire Matile Schwab or her heirs at law as herein defined immediately upon the death of the survivor of my husband and my sister, Felice.

(4) The Trustees herein appointed so long as the Trusteeship exists, shall have the power and authority to manage and control all of my property in such a way as may seem to them to be for the best interest of my estate, and of the persons benefited by this will; to sell any part of the estate when they deem such sale advantageous or advisable; to mortgage or pledge as security any part thereof if in handling the trust estate, in their judgment it becomes necessary to do so to conserve and protect the estate, keeping same in repair, etc.; to invest any funds in their possession in any income producing property which they may deem safe and secure, and to do all of the things they are empowered to do without the order of any Court.

(5) If any part of the estate is sold by the Trustees, the proceeds of such sale shall become a part of the trust estate and managed and handled by them as such.

(6) The Trustees shall not be held accountable for any acts done by them in which they are given discretion to act by this will, except for a gross abuse of discretion.

(7) For their services the Trustees shall be paid the compensation usually and customarily paid for like services in matters of this kind, and they shall act without being required to give any bond. All expenses of handling and maintaining the trust property shall be deducted before any income is distributed.

(8) I shall hereinafter name as Trustees the First National Bank of

Matile S. Schwab

Birmingham and my brother Herold J. Schwab, and if for any reason, one of them refuse or fail to act as such, the one who does become Trustee hereunder shall have and exercise all the powers and duties hereinabove conferred on both.

ITEM FIVE: In the event the cash money left by me be not sufficient to pay my debts, expenses and charges against the estate, I will and direct the executors hereinafter appointed, to sell any part or all of the personal property if necessary to pay said debts, expenses or charges, and if the personal property be exhausted leaving unpaid debts, expenses or charges, the said executors are hereby authorized to sell any part of the real estate sufficient for that purpose, or if they deem it to the best interest of the estate, they are empowered and authorized to borrow enough money with which to pay that part of the debts, expenses and charges not paid, and to secure said borrowed money by mortgaging any part of the real estate.

ITEM SIX: I hereby designate and appoint the First National Bank of Birmingham and my brother Herold J. Schwab as executors of this will without the requirements of bond, and exempt them from making any inventory or report of their doings to any Court. In the event one of them fail or refuse to act as executor, I designate and appoint as executor the other without bond and with the same exemption, and if only one is appointed executor, he or it shall have the same powers and authority as both were appointed. During the time of the administration of my estate and before a final settlement thereof, the said executors shall have and exercise all the powers and duties hereinabove conferred on the Trustees, and shall manage my estate under the same power and authority given to the Trustees herein, among which powers shall be those authorizing them to sell any part of the estate they may deem for the best interest of the estate; mortgage or exchange any of the property for another kind of property if they deem it advantageous to do so, and in general to do any and all things which the Trustees are herein empowered to do.

ITEM SEVEN: I hereby appoint the First National Bank of Birmingham and my brother H. J. Schwab as the Trustees to take and manage the property as hereinabove set out, and if either fails or refuse to act as such Trustee, the other shall have all the rights, powers and duties conferred on both of them.

Witness my hand and seal on this 28th day of September, 1943, at
Birmingham, Alabama.

Meta S. Abrams (SEAL)

SIGNED, SEALED, DECLARED and PUBLISHED, by Meta S. Abrams, as and for her last Will and Testament, in our presence, and we, in her presence, and in the presence of each other, and at her request, have hereunto subscribed our names as witnesses on this 28th day of September, 1943.

Surge Hys 1656/50/24
Edwin Allen
H. J. Schwab
1630-2nd St. Bk. Bldg.

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA, ||
JEFFERSON COUNTY.

H. R. HOWZE
L. E. ~~EUGENE H. HAWKINS~~ NS. Judge of the Court of Probate, in and for said

WILL
RECORD

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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 Meta S. Abrams

Deceased and that said Will

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 55 Page 313-316

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 27 day of June, 1944. ~~xxx~~

H. R. Howze, Judge of Probate.

BOOK

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I, J. Paul Meeks, 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 together with the Certificate to the Probate thereof

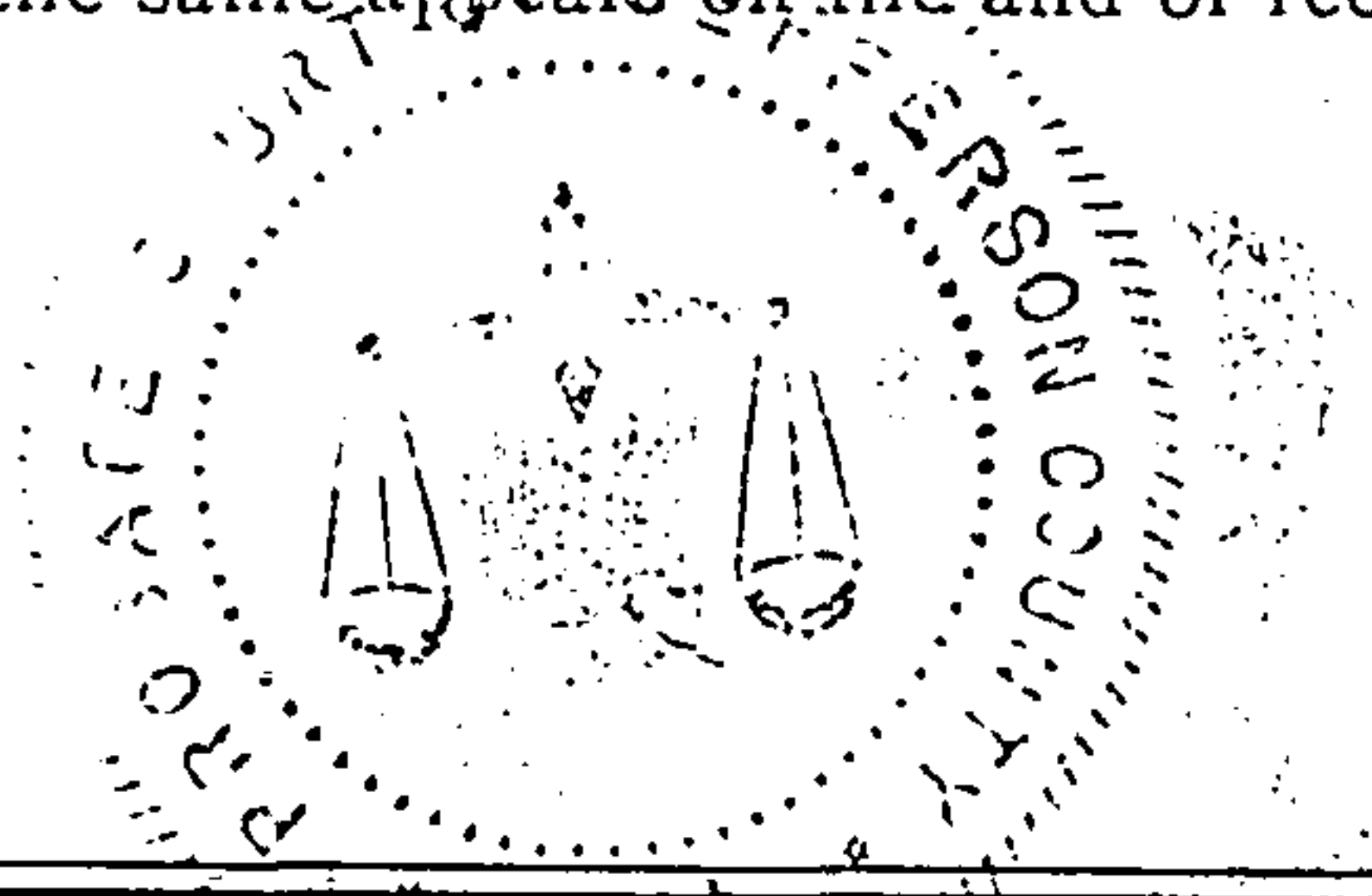
in the matter of the Estate of Meta S. Abrams, deceased,

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

Given under my hand and official seal, this

the 23 day of October, 1957.

J. Paul Meeks
Judge of Probate.



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within Will was filed in this office for record the 25th day of Oct 1957 2nd P.M. and recorded in D Record 189 Page 504 & examined LC Walker Fee \$ and the Mortgage tax of \$ Deed Tax of \$ has been paid. LC Walker Judge of Probate