

STATE OF ALA BAMA }
JEFFERSON COUNTY }

WILL
NO 350

4792
35 MAR 507

I, Ida M. Clayton, a resident citizen of Jefferson County,

Alabama, being of sound mind and disposing memory, do hereby make and publish this my last will and testament, hereby revoking any and all former wills made by me.

ITEM ONE-- I desire and I hereby direct that all my just debts be paid by my executor hereinafter named, as soon after my death as convenient.

ITEM TWO-- I hereby give and grant unto my said executor full power and authority to sell any or all property owned by me at the time of my death, real and personal, at private or public sale without order of Court.

ITEM THREE-- I hereby give, devise, and bequeath unto my husband J. Clayton, if he survive me, all my property, real, personal and mixed, which I may own or in which I may have any interest at the time of my death or to which my estate may become entitled at my death, in trust, however, for the uses and purposes and with the powers hereinafter set forth, to-wit:

1- The trustee shall take charge of, manage and control all of the trust property, leasing, selling, or otherwise handling the same as the trustee deems best and shall collect all income derivable therefrom.

2- The trustee shall have the power and authority to sell at private sale, without order of court, and convey any and all of the trust property at such time or times as the trustee deems to be to the interest of the trust estate. The proceeds of all such sales, as well as any other funds belonging to the estate which are not necessary to be otherwise used in the administration of this trust, shall be by the trustee from time to time invested in such class of securities or investments as the trustee may in its discretion deem advisable for the purpose of producing the maximum income, consistent with safety, whether such investments are authorized by the laws of the State of Alabama or not.

3- The trustee shall have full power and authority, private and without order of court, to borrow any money deemed advisable for the protection or proper administration of the trust estate, and as trustee to mortgage any of the trust property for the purpose of securing same, with full power and authority to renew or extend any indebtedness at any time existing against any of the trust estate.

4- The trustee shall pay from and out of the income of the trust property any and all expenses reasonably necessary for the administration of the trust, including interest, taxes, insurance and compensation to the trustee, as well as any other expense incurred for the benefit of the trust estate and in the event the income from the trust property is insufficient for the purpose of paying such expenses the same may be paid from the corpus of the trust estate.

5- The trustee shall during the life of my beloved daughter Marian McGrady, pay to her in monthly installments or otherwise the net income from the trust estate, after paying the expenses of administration.

6- In the event the trustee, for any reason, should at any time deem the income from the trust estate insufficient for the proper maintenance and support of my said child and for the proper maintenance, support, and education of my said child, the trustee in its discretion utilize for such purpose as much of the corpus as it may deem advisable, but any sums so paid out of the corpus of the estate shall not be charged against the recipient on final distribution.

7- Upon the death of any beneficiary hereunder the trustee is authorized to pay the funeral and burial expenses and the expenses of

the last illness of such beneficiary from the corpus of the trust estate.

3- This trust shall terminate in the death of my said daughter Marion McGrady and said estate including real, personal and mixed, property shall pass title to J. L. Clayton, my husband. Should my said executor and trustee J. L. Clayton die before my said daughter Marion McGrady, title to said property shall vest in my said daughter.

9- The trustee shall be entitled to receive fair and reasonable compensation for its services in administering this trust.

10- The trustee shall not be liable for any error in judgment in administering the trust nor shall it be liable for any acts of omission or commission, except the wilful disregard of duty, and it may act by agent or attorney and shall not be responsible for their acts of omission or negligence, but shall be held to the exercise of reasonable care in selecting, retaining investment under the terms hereof.

11- The trustee shall not be required to give bond, as trustee under this instrument, unless ordered so to do for cause shown by a court having jurisdiction, in which event the cost and expense of the bond shall be paid from the trust estate.

IN WITNESS WHEREOF, I, the said Ida M. Clayton, ^{have} hereunto set my signature and seal on this the 24th day of July 24th, 1935, hereby declaring the instrument contained on this and the preceding page to be my last will and testament.

Ida M. Clayton (CL. L.)

The foregoing was signed, sealed, published and declared by Ida M. Clayton to be her last will and testament in our presence and we, at her request and in her presence and in the presence of each other, have hereunto set our signatures, as attesting witnesses, on the day the said instrument bears date.

J. N. Varnell
J. H. Starnes

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 proved by the proper testimony, to be the genuine last Will and Testament

of Ida M. Clayton Deceased and that said Will

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 35 Page 507-508

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 21st day of December, 1935,

Eugene H. Hawkins Judge of Probate.

CERTIFICATE TO COPIES

Form No. 67

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

PROBATE COURT

I, O. H. FLORENCE, Clerk and Register 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 in the matter of the estate of Ida M. Clayton, deceased, together with the Certificate to the Probate thereof

STATE OF ALABAMA, JEFFERSON CO.

I CERTIFY THAT THIS INSTRUMENT
WAS FILED IN

1962

RECORDED & INDEXED

FB. 5-17-62

XXXXXXXXXXXX

[Signature]

JUDGE OF PROBATE

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

Given under my hand and seal of said Court, this

the 4th day of June, 19 62

[Signature]

Clerk and Register

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