

STATE OF ALABAMA)
JEFFERSON COUNTY)

WILL
BOOK

27 PAGE 833

2.75

LAST WILL AND TESTAMENT OF

AZALEA B. DEMBY

I, Azalea B. Demby, a resident of the County of Jefferson, State of Alabama, do hereby publish and declare this to be my Last Will and Testament, hereby revoking all former Wills and Codicils by me at any time heretofore made.

ITEM ONE

I will and direct that my just debts and funeral expenses, and expenses of my last illness and all valid charges upon my estate be paid by the Executor of this Will as soon after my death as he may deem practicable.

ITEM TWO

I give, devise and bequeath all the rest and residue of my estate, including all property and all interest in property, real, personal or mixed, wheresoever situated, which I may own at the time of my death, or to which my estate may become entitled, unto my husband, Lorenzo S. Demby, if living, to be his absolutely.

ITEM THREE

If my said husband, Lorenzo S. Demby, shall predecease me, or if my husband and I shall die simultaneously or in a common disaster under such circumstances that it cannot be determined which of us predeceased the other, then I give, devise and bequeath all the rest and residue of my estate, hereinabove mentioned in Item Two, unto The First National Bank of Birmingham (and to such successor corporation having trust powers as shall succeed to the business of said bank by purchase, merger, consolidation or change of charter or name), as Trustee, in trust

Azalea Demby

nevertheless, for the uses and purposes, upon the terms and conditions, and with the powers and duties hereinafter stated.

A. I direct that the income from said trust estate, or all or any part of the corpus, if the said Trustee deems it necessary, be used by my said Trustee for the support, maintenance and care of my daughter, Walta Mae Coar, so long as she shall live. Upon the death of my said daughter, the Trustee shall apportion the trust estate held in trust into so many equal parts that there will be one share set aside for my brother-in-law, Riley G. Demby, one share for my brother-in-law, William S. Demby, one share for my sister-in-law, Irene Demby Robinson, and one share for the Meharry Medical College, Nashville, Tennessee, or such of my brothers-in-law or sister-in-law as are then living, or having died theretofore leaving lineal descendants who are then surviving. Each share so apportioned shall be delivered over to the beneficiary for whom it is set aside, free from trust, the lineal descendants of any deceased brothers-in-law or sister-in-law to take in equal shares per stirpes the share to which the parent would have been entitled if living.

B. Said Trustee is hereby granted full power and authority to sell, convey, mortgage, hypothecate, pledge, invest and re-invest any of my property or any other property it may acquire pursuant to the power and authority herein given it (all of which property for convenience is referred to herein as "trust estate"), when in its opinion it is desirable to do so for the benefit of the trust estate, and I do not limit the investments to those investments that are legally authorized for trustees under the constitution and laws of the State of Alabama, or of any other state, but direct that said Trustee shall exercise its full discretion in the management of my estate. Said Trustee is given full power to compromise, adjust and settle in its discretion, any claim in favor of or against said trust estate, and is hereby authorized to continue the operation of any business enterprise in which the trust estate may at any time own any interest. Said Trustee shall not be held liable for any loss which may occur to the trust estate for or on account of any investment or investments or for or on account of the continuation of the operation of any business enterprise in which the trust estate may own an interest. It is my intention by this instrument to grant my Trustee full and unlimited power and authority to manage and handle the trust estate for the uses and purposes hereinabove set forth, the same as I would have if I were handling and managing the same in my lifetime.

C. I direct that said Trustee shall serve without bond and that it shall not be required to file any inventory or make any report or accounting to any person or court of its acts as Trustee hereunder. The Trustee shall receive reasonable compensation for its services as such.

D. My Executor, hereinafter named, shall have and may exercise during the administration of my estate all of the rights, powers, duties and discretions herein granted to or conferred upon said Trustee.

W. S. Demby

ITEM FOUR

I hereby constitute and appoint my said husband, Lorenzo S. Demby, if living, as Executor of this my Last Will and Testament, and I direct that he shall serve without bond and shall not be required to file an inventory of my estate with any person or court.

In the event my said husband shall predecease me, then I constitute and appoint The First National Bank of Birmingham, as Executor of this Will, and I direct that it shall serve with the same powers and immunities hereinabove given unto my said husband.

IN WITNESS WHEREOF, I have hereunto set my hand to each page hereof, and my hand and seal hereto, on this ^{27th}~~28th~~ day of October, 1961.

Azalea B. Demby (SEAL)

Signed, sealed and declared to be her Last Will and Testament by Azalea B. Demby, in our presence and we in her presence and in the presence of each other, and at her request, have hereunto set our names as witnesses on the day the same bears date.

For a Lewis Bldg
Bessemer, Alabama

For a Lewis Bldg
Bessemer, Alabama

For a Lewis Bldg
Bessemer, Alabama

For a Lewis Bldg
Bessemer, Alabama

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

I, J. Paul Meeks

Judge of the Court of Probate, in and for said

State and County, do hereby certify that the foregoing instrument of writing in S 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 Azalea B. Demby Deceased and that said Will

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 27 Page 833

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 28 day of Aug. 1964

J. Paul Meeks, Judge of Probate

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

PROBATE COURT, BESSEMER DIVISION

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 of Azalea Demby, deceased, and the Certificate
to the Probate of said Will,

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/29
12/9 1965
RECORDED & \$.....MTC. TAX
& \$.....DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

XXXXXXXXXXXX

C. M. Fowler
JUDGE OF PROBATE

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

Given under my hand and official seal, this

the 8th day of November, 1965

J. Paul Meeks
Judge of Probate.