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Last Will and Testament

OF

ROBERT POW WALKER

58837

STATE OF ALABAMA :
:
JEFFERSON COUNTY :

KNOW ALL MEN BY THESE PRESENTS: That I, ROBERT POW WALKER, a resident of Jefferson County, Alabama being of sound mind and disposing memory, do hereby make, publish and declare this instrument as and for my Last Will and Testament, hereby expressly revoking any and all wills, codicils or other testamentary dispositions heretofore made by me.

ITEM ONE: I hereby direct that all of my just debts shall be paid by my personal representative as soon as practicable after my death.

ITEM TWO: I hereby give, devise and bequeath my entire estate of whatsoever kind and character and wherever situated or located, including real, personal and mixed property, seized and possessed by me or to which I may be entitled at the time of my death, unto my beloved wife, RUBY B. WALKER, if living at the time of my death, to be held and owned by her absolutely and forever.

ITEM THREE: In the event my said wife, RUBY, and I shall die in a common accident or disaster, or under any circumstances creating any doubt as to which of us survived the other, my said wife shall be presumed to have survived me for all purposes under this Will.

ITEM FOUR: In the event my wife, RUBY B. WALKER, should not survive me, then I do hereby give,

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devise and bequeath my entire estate unto my son, JOHN BAGGETT WALKER, if living at the time of my death, otherwise to such of his descendants as may survive my death, in equal shares, per stirpes.

ITEM FIVE:

I hereby confer upon, grant to, and vest in, my personal representative full and complete powers of management, control and disposition of my estate, and without limiting the generality of the foregoing powers, including the following:

(a) To sell, exchange, transfer or convey all or any part of my estate at private sale and at such price and on such terms and conditions as my personal representative may see fit.

(b) To borrow any sum of money and to secure the same by pledging, hypothecating, mortgaging all or any part of the assets at any time belonging to my estate.

(c) To execute and deliver any deed, note, mortgage, lease of real estate, or other instrument.

(d) To retain the securities originally belonging to my estate regardless of whether or not the same constitute legal investments under the laws of Alabama.

(e) To sell any securities at any time belonging to my estate and to invest the proceeds of the sale thereof in any other securities or investments as to the said personal representative may deem suitable, and to change investments and to make new investments from time to time as to said personal representative may seem necessary or desirable.

(f) To vote, in person or by proxy, any share of stock belonging to my estate.

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(g) To make divisions and distributions hereunder provided for either in cash or in kind or partly in cash and partly in kind, and for that purpose to determine the values thereof, and to determine the identity of persons entitled to take hereunder. Any distribution made in kind by my personal representative shall be binding on the beneficiaries hereunder.

All of said powers shall be exercised free from the control of the Probate Court or any other court.

ITEM SIX:

I hereby nominate and appoint my wife, RUBY B. WALKER, as Executrix hereunder. I hereby expressly exempt my Executrix from the requirement of making bond to secure the performance of her duties hereunder as such Executrix, or to file any inventory in any Court or to render any final settlement. In the event my wife should not survive me, or for any reason should she fail to qualify as Executrix hereunder, or having qualified should fail or cease to act for any reason whatsoever prior to the settlement of my estate, then I do hereby nominate and appoint as Executor hereunder my son, JOHN BAGGETT WALKER, who shall serve without bond and shall have and possess all the rights, powers, duties, discretion and immunities herein vested in my originally named Executrix.

IN WITNESS WHEREOF, I, the said ROBERT POW WALKER, have hereunto set my hand and seal on this, the 24 day of January 1964, in the presence of the witnesses who have hereinafter subscribed their names hereto, and they, at my request and in my presence, and in the presence of each other, have hereunto set their signatures as attesting witnesses.

 (SEAL)
ROBERT POW WALKER

The foregoing instrument was signed, sealed, published and declared by ROBERT POW WALKER, to be his Last Will and Testament in our presence, and we, at his request and in his presence, and in the presence of each other, have hereunto set our signatures as attesting witnesses on the day said instrument bears date.

Eleanor L. Fowler

W. J. Pennington

L. R. Pugh

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

I, J. PAUL WEEKS, 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 _____

of Robert Pow Walker, Deceased and that said Will _____

together with the proof thereof have been recorded in my office in Judicial Record, Vol. 96 Page 756 - 754

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Aug. 15, 1966.

Form No. 98

J. Paul Weeks Judge of Probate

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

PROBATE COURT

Judge

I, J. Paul Meeks, ~~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 of Robert Pow Walker, Deceased, together with the Certificate to the Probate thereof;

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1957 SEP - 8 AM 9:06
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conrad H. J. Smith
JUDGE OF PROBATE

in the matter of

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

Given under my hand and seal of said Court, this

the 31st day of August, 19 67

J. Paul Meeks

~~Clerk and Register~~
Judge of Probate

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