

8174

IN THE MATTER OF THE ESTATE OF )

IN THE PROBATE COURT OF  
JEFFERSON COUNTY  
ALABAMA

Claire M. Ulmer

Deceased

July TERM 1966

CASE NO. 58387

LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:

That the will of the above-named deceased having been duly admitted to record in said County, Letters Testamentary are hereby granted to James Regan, Jr., Executor named in said will, who has complied with the requisitions of law and who is authorized to take upon himself the execution of such will.

Witness my hand this date, July 15, 1966.

(SEAL)

J. Paul Meeks

J. PAUL MEEKS

Judge of Probate

Judge

I, J. Paul Meeks, ~~Judge of the Court of Probate of Jefferson County, Alabama~~ of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the Letters Testamentary issued in the above-styled cause as appears of record in said Court. I further certify that said Letters are still in full force and effect.

Witness my hand and seal of said Court this date, \_\_\_\_\_

November 6, 1967

J. Paul Meeks  
Judge of Probate

~~XXXXXXXXXXXXXXXXXXXX~~

51459

IN THE MATTER OF THE ESTATE OF )	IN THE PROBATE COURT OF
)	JEFFERSON COUNTY
)	ALABAMA
)	
<u>Tom U. Crumpton</u>	<u>March</u> TERM <u>1963</u>
Deceased	CASE NO. <u>49956</u>

LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:

That the will of the above-named deceased having been duly admitted to record in said County, Letters Testamentary are hereby granted to Amelia L. Crumpton, Executrix named in said will, who has complied with the requisitions of law and who is authorized to take upon herself the execution of such will.

Witness my hand this date, March 18, 1963.

(SEAL)

J. Paul Meeks  
J. PAUL MEEKS  
Judge of Probate

~~Notary Public~~  
Judge  
I, J. Paul Meeks, ~~Notary Public~~ of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the Letters Testamentary issued in the above-styled cause as appears of record in said Court. I further certify that said Letters are still in full force and effect.

Witness my hand and seal of said Court this date, November 6, 1967.

J. Paul Meeks  
Judge of Probate  
~~Notary Public~~

STATE OF ALABAMA )

JEFFERSON COUNTY )

49956

WILL  
RECORD

171 PAGE 73

I, Tom U. Crumpton, a resident of Jefferson County, State of Alabama, being of sound and disposing mind and memory, do make, publish and declare this instrument as and for my last will and testament, hereby revoking any and all other wills and codicils thereto heretofore made by me.

ITEM ONE: I direct that all of my just debts, including the expenses of my last illness and funeral, shall first be paid out of my estate by my executors hereinafter named, as soon as possible after my death.

ITEM TWO: I give and bequeath all of my wearing apparel, jewelry, books, pictures, household furniture and furnishings, both useful and ornamental, any automobile I may own, and all other objects of my personal use, to my wife Amelia L. Crumpton, absolutely, if she be living at the time of my death. If my wife shall not survive me then the items described above shall be divided among my children, then living, share and share alike.

ITEM THREE: If my wife be living at my death, my executors shall, as soon as practicable after my death, divide the residue of my estate into two parts. (1) One part shall consist of property having a value equivalent to one-half of the total value of my gross estate after deducting the value of the bequests set forth in Item Two above, the amounts due from my estate for funeral expenses, for administration expenses and for any other claims or charges which may diminish the value of any assets included in the value of my gross estate, but calculated before deduction from my gross estate of any inheritance, estate or other special tax levied against my estate by virtue of my death. This part of my estate I give, devise and bequeath to my wife Amelia L. Crumpton to have and to hold absolutely. (In determining the value of and the type property of the part set aside for my wife, there shall be included the value of any



policies of insurance on my life, made payable to her, and also the value of any other items of property having previously passed to her or passing to her outside of the provisions of this will and which are held to be includable in my gross estate for federal estate tax purposes and which will qualify as a marital deduction as provided in the United States Internal Revenue Code, as amended.) (2) The second part of my estate, consisting of the remainder of the residue similarly calculated as in Item Three (1) above, but after deduction solely herefrom of any inheritance estate, or other special tax levied against my estate by virtue of my death, I give, devise and bequeath to my wife Amelia L. Crumpton and The First National Bank of Birmingham, Birmingham, Alabama, in trust however for the following uses and purposes:

(a) I direct that for and during her lifetime the entire net income from my trust estate be paid by the trustees to my wife in installments no less frequent than annually.

(b) Upon the death of my wife the corporate trustee shall continue to hold and manage the trust and shall pay the income therefrom in annual or more frequent installments to each of my children share and share alike. Upon the death of each of my children the trustee shall pay to the bodily heirs of said deceased child, per stirpes, one-third of the corpus of the trust estate, to have and to hold absolutely, and upon the death of the last of my children the trust estate shall terminate. In the event one or more of my children should predecease my wife, the share or shares above bequeathed shall pass to the bodily heirs of my said deceased child or children, per stirpes, and if there are no bodily heirs, said share or shares shall pass to the surviving child or children of mine, share and share alike.

ITEM FOUR: In the event my said wife should predecease me or we die in a common disaster, I hereby give, devise and bequeath my entire estate to The First National Bank of Birmingham, Birmingham, Alabama, in trust, the income from said



trust trust estate to be paid annually or more frequently to each of my children, share and share alike, and it is my further will and I so direct that the corpus of the trust estate ultimately vest in my grandchildren in the same manner as I have previously set forth in Item Three, subhead (b) above.

ITEM FIVE: POWERS OF TRUSTEES.

1. The trustees shall hold and manage the property constituting the trust estate and such other property as they may subsequently acquire for such trust estate pursuant to the power and authority herein given to them, with full power to compromise, adjust and settle in their discretion any claim in favor of or against said trust estate, with full power to collect the income therefrom and from time to time to sell, convey, exchange, lease for a period beyond the possible termination of this trust estate, or for a less period, to improve, encumber, borrow on the security thereof, or otherwise dispose of, all or any portion of said trust estate, in such manner and upon such terms and conditions as said trustees may approve, and with full power to invest and reinvest said trust estate and the proceeds of sale or disposal of any portion thereof, in such loans, bonds, stocks or other mortgages, common trust funds, securities, or other property, real or personal, as to said trustees may seem suitable, and to change investments and to make new investments from time to time as to said trustees may seem necessary and desirable.

The trustees may continue to hold any property or securities originally received by them as a part of the trust estate, including any stock or interest in any family corporation, partnership or enterprise, so long as the individual trustee shall consider the retention thereof for the best interests of said trust estate, regardless of whether such property or securities are in law a proper investment of trust funds. I further direct that any stock or interest in any family corporation, partnership or enterprise shall be voted solely by the



individual trustee. In the disposition of any property constituting a part of said trust estate the trustees may acquire other property which is not a proper investment of trust funds in accordance with law where such course is in their opinion for the best interest of said trust estate. The trustees shall have power to determine whether any money or property coming into their hands shall be treated as a part of the principal of said trust estate or a part of the income therefrom, and to apportion between such principal and income any loss or expenditure in connection with said trust estate as to them may seem just and equitable.

2. Whenever and as often as, in the opinion of the trustees, the net income from the trust estate is insufficient for the purposes herein defined, including the reasonable and comfortable support and maintenance of my said wife, taking into consideration additional expenses arising from any extraordinary or unusual circumstances, the trustees shall advance or utilize for her maintenance, support, or comfort so much of the corpus or principal as the trustees may deem necessary or proper, provided, however, that no advance or money so utilized from corpus or principal shall exceed in any twelve months period the total sum of \$5,000.00. Any such advances or the money so utilized shall not be deemed debts of my wife to the trust fund.

3. The trustees shall have power and authority at any time from time to time to advance money to the trust estate from their funds for the purpose or purposes of the trust and may reimburse themselves for the money advanced and reasonable interest thereon from the trust estate or from any funds belonging to the trust estate thereafter coming into their custody from any source.

4. The First National Bank of Birmingham, Birmingham, Alabama, as Trustee hereunder, shall be entitled to receive reasonable compensation for its services hereunder, to be paid



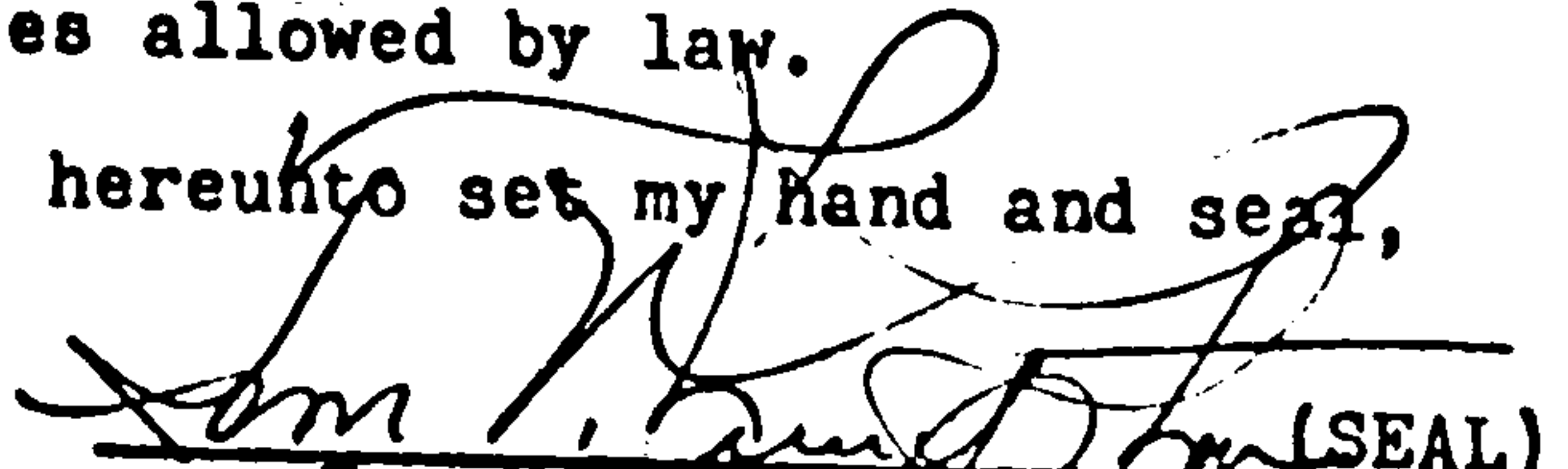
out of the income from said trust estate.

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

6. The trustees shall not be required to pay any interest on any money in their custody while awaiting distribution and investment under the terms hereof, even though the money be commingled with their own funds, provided they shall keep a separate account of the same on their books.

ITEM SIX: I hereby nominate and appoint my wife Amelia L. Crumpton to be executrix of this my last will and testament. I direct that my said executrix shall not be required to give bond or to file an inventory or appraisal of my estate, though she shall make out and maintain an inventory of my estate. In the event my wife predeceases me I nominate The First National Bank of Birmingham, Birmingham, Alabama, to be executor of my estate. I hereby vest in my said executor the same full powers of management, control and distribution of my estate herein given to the trustees under Item Five hereof and I direct that in the exercise of such powers she shall be free from the control and supervision of the Probate Court or any other court. The First National Bank of Birmingham, Birmingham, Alabama, shall receive as compensation for its services as executor the fees allowed by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 11 day of May, 1957.

  
Tom U. Crumpton (SEAL)

We, the undersigned, hereby certify that Tom U. Crumpton subscribed his name to the foregoing instrument in our presence, and published and declared the same to be his last will and testament, and we, at the same time, at his request, in his presence and in the presence of each other, have hereunto signed our names as subscribing witnesses.

Name

Address

<u>James H. Hooper</u>	<u>2836 Cherokee Rd. Birmingham, Ala.</u>
<u>Harold W. [unclear]</u>	<u>405 First National Bldg B</u>
<u>John M. Leguante</u>	<u>Brown - Mark Bldg</u>
	<u>Birmingham, Ala</u>

WILL  
RECORD 171 PAGE 78

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\_\_\_\_\_ this day, in said Court, and before me as

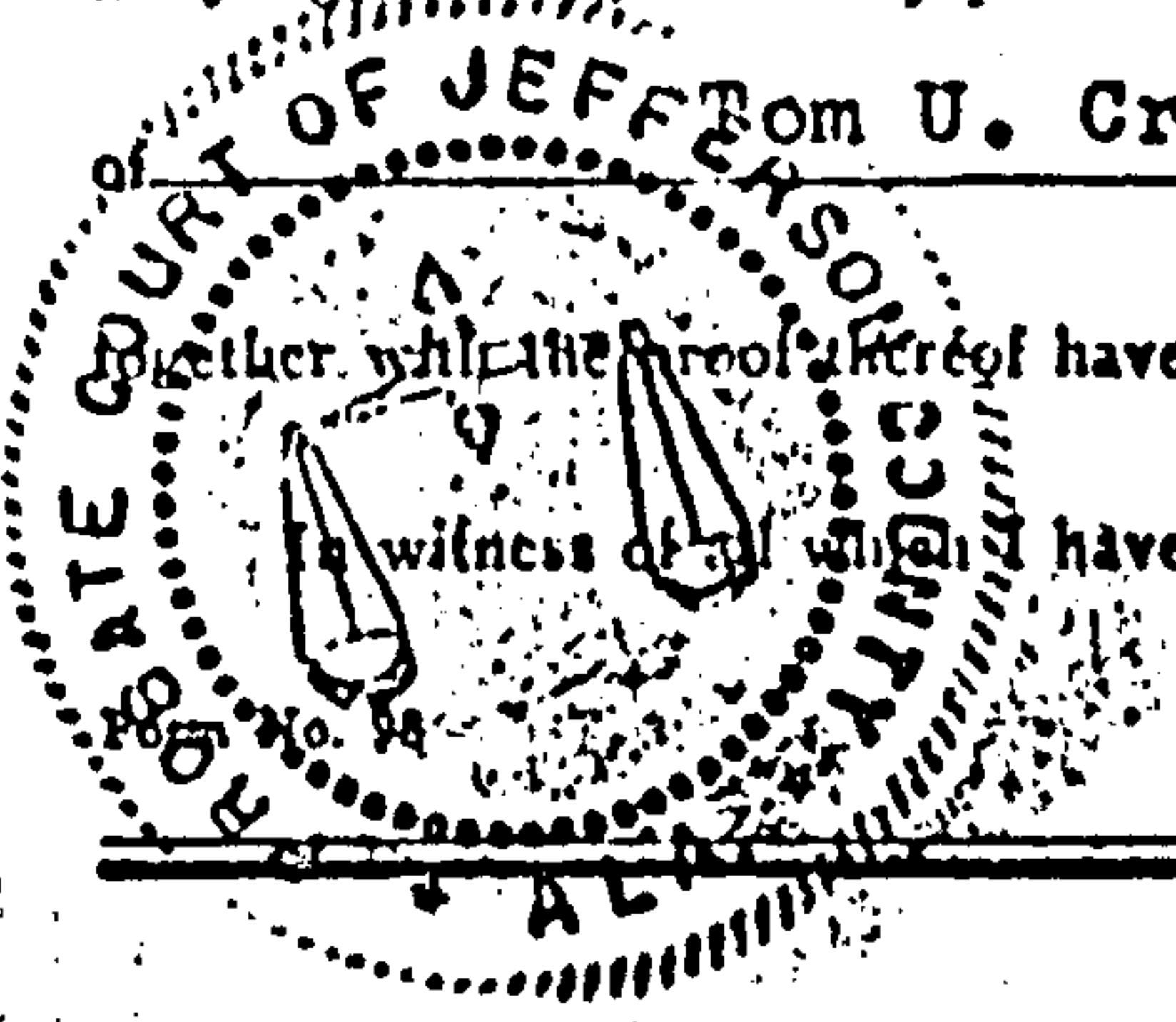
the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament\_\_\_\_\_

of Tom U. Crumpton Deceased and that said Will\_\_\_\_\_

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 171 Page 72-78

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 18th day of March 19 63

J. Paul Meeks, Judge of Probate





CERTIFICATE TO COPIES

PROBATE-67

THE STATE OF ALABAMA,  
Jefferson County.

PROBATE COURT

Judge

I, **J. Paul Meeks**, ~~Notary Public~~ 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 Tom U. Crumpton, Deceased, together with  
the Certificate to the Probate thereof,**

~~XXXXXXXXXXXX~~

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

Given under my hand and seal of said Court, this

the **6th** day of **November**, 19 **67**.

*J. Paul Meeks*

~~XXXXXXXXXXXX~~  
Judge of Probate

BOOK 250 PAGE 742

IN RE: ESTATE OF TOM U. CRUMPTON, CASE NO. 49956  
 DECEASED IN THE PROBATE COURT  
 OF  
 JEFFERSON COUNTY,  
 ALABAMA

DECREE ON FINAL SETTLEMENT

This being the day heretofore set and appointed to hear and pass upon the accounts and vouchers and the Final Settlement Petition and the supplemental accounting petition covering the period of March 2, 1966 to February 10, 1967 of the Executrix of the Last Will and Testament of the said Tom U. Crumpton, deceased, for final settlement of the said estate as of March 2, 1966, now comes the Executrix, Amelia L. Crumpton, and moves the Court to proceed to examine and audit her accounts, and moves that said accounts be passed and allowed as stated by her.

And, it appearing to the satisfaction of this Court:  
 (a) that more than six months have elapsed since the granting of Letters Testamentary to said Executrix; (b) that all of the debts and claims against the estate have been paid; (c) that the condition of the estate in other respects admits of a final settlement thereof; (d) that notice of such settlement and the day set for the hearing thereof has been given as provided for by law; (e) that Amelia L. Crumpton and The First National Bank of Birmingham, as Co-Trustees under the said Will, have been notified and have waived all notice that each of them were entitled to receive in reference



to this settlement; (f) that notice by publication has been given to the adult residual beneficiaries of the trust and the minor beneficiaries thereof; (g) that Hon. Fitzhugh Burttram, a duly licensed Attorney at Law, has heretofore been appointed as the Guardian ad litem to represent the interest of the several minors concerned in this estate, said minors being, Ann Crumpton, Elizabeth Crumpton, Susan Crumpton Laughlin, Elizabeth Bouldin Laughlin, Henry Alexander Laughlin, Lewis Evans Hartman, Thomas Crumpton Hartman and Mark Lyons Hartman; (h) that the said Mr. Burttram has in writing accepted said appointment, denied the allegations of said petition, and is now present in Open Court contesting the said settlement.

Now therefore, The Court proceeds to examine said accounts and to consider the proof relating thereto, whereupon it is shown and appears to the satisfaction of the Court, and the Court so finds, that the Executrix has received in cash as of February 10, 1967 the sum of \$369,461.64, including balance in the amount of \$50.00 in Fidelity Federal Savings & Loan Association account, and the other assets belonging to the estate as enumerated in her petition, and that she has justly expended as of said date the sum of \$305,009.65 in and about the costs and charges necessary and incidental to the said administration and the payment of all the lawful debts and claims against the estate, leaving a net cash balance in her hands in the amount of \$64,451.99 as of February 10, 1967 and said account being full and correct.

The Court has considered and examined the supplemental accounting of Amelia L. Crumpton from March 2, 1966 to February 10, 1967 showing income receipts in the amount of

\$13,788.70 and disbursements totalling \$33,432.19, and these amounts are reflected in the net cash balance on hand as stated in the foregoing paragraph.

It is accordingly Ordered, Adjudged, and Decreed by the Court as follows:

(1) That said accounts be and the same are hereby in all things passed and allowed as above stated.

(2) The sum of \$12,500.00 loaned by the Estate to Amelia L. Crumpton, individually, on the 12th day of August, 1965 is to be deducted from her net distributive share of the Estate, as has been done in Part VI (A) of said Final Settlement Petition.

(3) That the Executrix pay all of the court costs incidental to these proceedings, totalling \$497.94 including the sum of \$450.00, which sum is hereby allowed as a Guardian ad litem fee to Hon. Fitzhugh Burttram, for all of which execution may issue.

(4) That the Executrix distribute in cash to Amelia L. Crumpton, individually:

The amount shown as due her as of March 2, 1966, under Part VI C(3) of said Final Settlement Petition.

\$47,374.40

One-half of the income received by Amelia L. Crumpton from March 2, 1966 to Feb. 10, 1967.

6,894.35

\$54,268.75

Less:

One-half of the total salary paid to Virginia B. Seale from March 2, 1966 to Feb. 10, 1967

825.00

Mrs. Crumpton's pro rata share of the \$27,136.44 capital gains tax paid during period of March 2, 1966 to Feb. 10, 1967

13,752.21

14,577.21

Net cash amount distributable to Amelia L. Crumpton, individually.

\$39,691.54



(5) That the Executrix distribute in cash to Amelia L. Crumpton and The First National Bank of Birmingham, as Co-Trustees, as follows:

The amount shown due them  
as of March 2, 1966 under  
Part IV C(4) of said Final  
Settlement Petition. \$36,721.08

One-half of the income  
received by Amelia L.  
Crumpton from March 2,  
1966 to Feb. 10, 1967 6,894.35 \$43,615.43

Less:

One-half of the total  
salary paid to Virginia  
B. Seale from March 2,  
1966 to Feb. 10, 1967. 825.00

The trustees' pro rata  
share of the \$27,136.44  
capital gains tax paid  
during the period of  
March 2, 1966 to Feb.  
10, 1967. 13,384.23

Remaining taxes paid  
by Amelia L. Crumpton  
from March 2, 1966 to  
Feb. 10, 1967 4,645.75 18,854.98

Net amount of cash  
distributable to trustees. \$24,760.45

(6) That the said Executrix execute a Deed conveying to Amelia L. Crumpton and The First National Bank of Birmingham, as Co-Trustees under said Last Will and Testament, an undivided 1/2 interest, and to Amelia L. Crumpton, individually, an undivided 1/2 interest in and to the 40 acre tract of land owned by the Estate and situated in Jefferson County, Alabama, as described in Part II Item No. 1 of said Final Settlement Petition, more particularly described as the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25 Township 18,

Range 2W, Jefferson County, Alabama (oil, gas and sulphur rights excluded).

(7) That the Executrix shall divide the items of personal property (common stocks, debentures and coupons, as described in Part V of the Final Settlement Petition) between herself, individually and The First National Bank of Birmingham and Amelia L. Crumpton, as Co-Trustees, as follows:

(8) To: Amelia L. Crumpton, Individually:

135 Lawrence County Coupons.

194 shares of Common stock of Colorado Interstate Corporation.

50 shares of Common stock of Dayton Aviation Radio.

100 shares of Common stock of Enterprise Manufacturing Company.

5000 shares of Common stock of Modern Homes.

13 debenture bonds (6%) of Modern Homes.

9 shares of Common stock of Oceanic Trading Company.

50 shares of Common stock of P. Lorillard Company.

200 shares of Common stock of Pioneer Natural Gas.

364 shares of Common stock of Southern Natural Gas Company.

1578 shares of Common stock of The First National Bank of Birmingham.

150 shares of Common stock of Vulcan Materials Company.



(9) That if there have been any stock dividends or stock splits on any of the foregoing stocks subsequent to March 2, 1966, then one-half of such additional stock thus received to Amelia L. Crumpton, individually.

(10) To: The First National Bank of Birmingham  
and Amelia L. Crumpton, Individually:

135 Lawrence County Coupons.

194 shares of Common stock of Colorado  
Interstate Corporation.

50 shares of Common stock of Dayton  
Aviation Radio.

100 shares of Common stock of Enterprise  
Manufacturing Company.

5000 shares of Common stock of Modern Homes.

13 debenture bonds (6%) of Modern Homes.

9 shares of Common stock of Oceanic  
Trading Company.

50 shares of Common stock of P. Lorillard  
Company.

200 shares of Common stock of Pioneer  
Natural Gas.

364 shares of Common stock of Southern  
Natural Gas Company.

1578 shares of Common stock of The First  
National Bank of Birmingham

150 shares of Common stock of Vulcan  
Materials Company

(11) That if there have been any stock dividends or stock splits on any of the foregoing stocks subsequent to March 2, 1966, then one-half of such additional stock thus received to Amelia L. Crumpton and The First National Bank, as Co-Trustees under said will.

(12) That upon the Executrix paying the sums of money heretofore ordered and decreed that she should pay and upon her delivering the above described items of personal property to the respective beneficiaries, Amelia L. Crumpton is hereby discharged of all liability as such Executrix, and jurisdiction of this cause is reserved, and upon the Executrix producing satisfactory proof that she has paid said sums of money and has made said distribution of the other assets, an order or decree may be rendered, discharging her from all liability.

(13) That all of the accounts, vouchers, evidences and statements on file relating to this settlement, and all other paper writing on file respecting said estate, together with this decree, be recorded.

Done and ordered this 12th day of April, 1967.

J. Paul Meeks  
Judge of Probate

CC: Hon. Fitzhugh Burttram

CC: Hon. W. J. Sullivan, Jr.

CC: The First National Bank of Birmingham

Attention: Mr. James L. Moulder, Jr.



CERTIFICATE TO COPIES

PROBATE-67

THE STATE OF ALABAMA,  
Jefferson County.

PROBATE COURT

I, **J. Paul Meeks,** <sup>Judge of</sup> ~~the Court of Probate~~ 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 \_\_\_\_\_

**Decree On Final Settlement**

in the matter of **the Estate of Tom U. Crumpton, Deceased,**

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

Given under my hand and seal of said Court, this

the **6th** day of **November**, 19 **67**.

*J. Paul Meeks*

~~Clerk of Court~~  
Judge of Probate

STATE OF ALA. SHELBY CO.  
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