

443 no 410

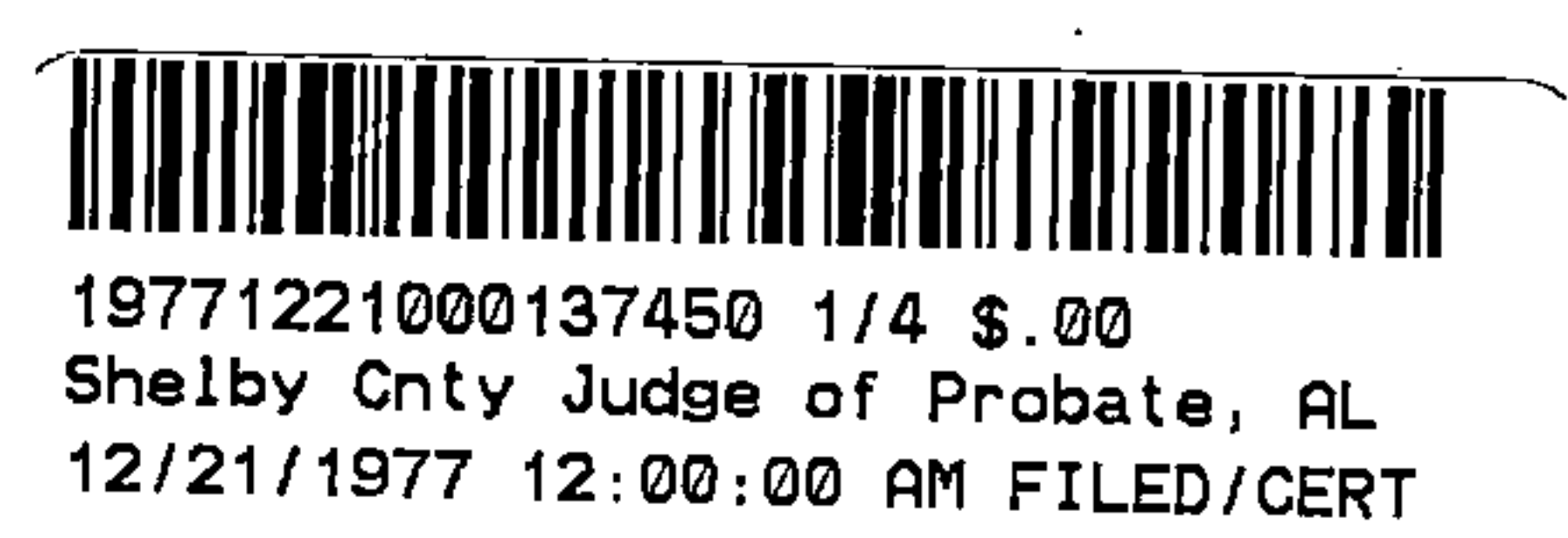
IN THE MATTER)
OF THE ESTATE OF)
GAINES M. HUMPHREY,)
Deceased.)

Oct 1 / 39 PM '75

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NO. 81306

5626



PETITION FOR PROBATE OF WILL

TO THE HONORABLE J. PAUL MEEKS, JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA:

Comes your petitioner, The First National Bank of Birmingham, and, upon information and belief, respectfully shows unto your Honor the following facts:

1. Gaines M. Humphrey, died at Birmingham, Alabama, on or about the 15th day of May, 1975, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is said decedent's last will and testament naming petitioner as Executor thereof, which was duly signed by said decedent when over twenty-one years of age, and was attested by the following witnesses: namely,

<u>NAME</u>	<u>PRESENT ADDRESS</u>
Jack E. Held	First Federal Building Birmingham, Alabama 35203
Charlene H. Blackburn	First Federal Building Birmingham, Alabama 35203
Harold I. Apolinsky	First Federal Building Birmingham, Alabama 35203

3. The following is a true, correct, and complete list of the names, ages, conditions, relationships, and addresses of said decedent's next-of-kin; namely,

<u>NAME, AGE, CONDITION, RELATIONSHIP</u>	<u>ADDRESS</u>
Michael L. Humphrey, age 20, competent, son	Post Office Box 705 Leeds, Alabama 35094
Cheryl M. Humphrey, age 12, competent, daughter	1065 Sherbrook Drive Birmingham, Alabama 35209
Kimberly D. Humphrey, age 10, competent, daughter	1065 Sherbrook Drive Birmingham, Alabama 35209

Bonnie L. Humphrey
custodian for above minors
Jeff Land Title

1065 Sherbrook Drive
Birmingham, ALA 35209

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4. In the last will and testament of said decedent, decedent's ex-wife, Bonnie L. Humphrey, is named as a Co-Executor to serve with The First National Bank of Birmingham. The decedent and Bonnie L. Humphrey were divorced on April 23, 1975, under proceedings which were held in the Circuit Court of Jefferson County, Alabama, Civil Action No. 183-879, and under Alabama law, said Bonnie L. Humphrey is excluded from decedent's last will and testament, and therefore, The First National Bank of Birmingham is the sole Executor and petitioner in this cause.

WHEREFORE, your petitioner prays that your Honor will take jurisdiction of this petition; will cause all such notices or citations to issue to the said next-of-kin, and attesting witnesses as may be proper in the premises; and will cause such proceedings to be had and done, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said will as the last will and testament of said deceased.

19771221000137450 2/4 \$.00
Shelby Cnty Judge of Probate, AL
12/21/1977 12:00:00 AM FILED/CERT

THE FIRST NATIONAL BANK OF BIRMINGHAM

By Douglas L. McWhorter
Trust Officer

Address: Post Office Box 11007
Birmingham, Alabama 35288

Attorney for petitioner:

Leonard Wertheimer, III
SIROTE, PERMUTT, FRIEND & FRIEDMAN, P.A.
Second Floor - First Federal Building
Birmingham, Alabama 35203

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, the undersigned, a notary public in and for said county in said state, personally appeared DOUGLAS L. McWhorter, whose name as Trust Officer of The First National Bank of Birmingham is signed to the foregoing instrument, and who is known to me, acknowledged before me

OCT 2 1977

on this day that he, as such officer, has read the foregoing petition and knows the contents thereof, and that upon such information and belief avers that the facts alleged therein are true and correct, and that he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

THE FIRST NATIONAL BANK OF BIRMINGHAM

By Douglas L McWhorter
Trust Officer

Affiant - Petitioner

Subscribed and sworn to before me this 3 day of July, 1975.

R. LARRY WARD, NOTARY PUBLIC
STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES FEB. 23, 1978

Larry Ward
Notary Public

Filed in the office of the Judge of Probate of Jefferson County, Alabama, this 3rd day of July, 1975.

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Shelby Cnty Judge of Probate, AL
12/21/1977 12:00:00 AM FILED/CERT

Judge of Probate

July 27, 1975
~~dated to office this 26th~~
~~day of July 1975~~
set for hearing on the 26
day of Aug. 1975
at 10 o'clock A.M.
J. Paul Donahue

Issue
Cites
minors
CUST.

ADPT.
G.A.L.

L.A. aptm revoked 4/1/76

September 8, 1975

Petition heard, prayer granted and petition ordered recorded.

J. Paul Donahue
Judge of Probate

MICROFILMED

OCT 2 1975

19771221000137450 4/4 \$.00
Shelby Cnty Judge of Probate, AL
12/21/1977 12:00:00 AM FILED/CERT

The State of Alabama
JEFFERSON COUNTY

CIRCUIT COURT,
TENTH JUDICIAL CIRCUIT OF ALABAMA
IN EQUITY

I, the undersigned, as Register of the Circuit Court, Tenth Judicial Circuit of Alabama, do hereby certify that the foregoing contains a full, true and correct copy of the instrument herewith set out as appears of record in said Court.

Witness my hand and seal of said Court, this the 29th day of November, 19 77.

D. L. Cockrell, Register.
By: Billie J. Gannon
Deputy Register.

Rec. 6.00
Ind. 1.00
7.00