

JD
RECORD

82 PAGE 50

STATE OF ALABAMA)
SHELBY COUNTY)1978010900002990 1/2 \$.00
Shelby Cnty Judge of Probate, AL
01/09/1978 12:00:00 AM FILED/CERT

57049

I, AULTON V. SMITH, of Birmingham, Jefferson County, Alabama, being of sound mind and disposing memory, do hereby publish and declare this my last will and testament, revoking all former and other wills and testamentary dispositions by me at any time heretofore made:

FIRST: I direct that my just debts and funeral expenses be paid as soon after my death as may be convenient.

SECOND: I give, devise and bequeath unto my beloved wife, MILDRED D. SMITH, if she survives me, all of my property, real, personal, or mixed, wheresoever situate, of which I may die seized or possessed, or to which I may be entitled at the time of my decease.

THIRD: In the event that the death of my said wife should occur prior to my death, or at approximately the same time as a result of a common disaster or calamity, I will, devise and bequeath all of my property and estate to my following named children, ANDREA LYNN SMITH, and CRAIG SMITH, in equal parts, share and share alike.

FOURTH: In the further event that the death of my said wife should occur prior to my death, or at approximately the same time as a result of a common disaster or calamity, I nominate and appoint my sister-in-law, Lois O'Kelley, of Birmingham, Alabama, as testamentary guardian of said minor children, if they have not reached their majorities at such time, with full power to use the property and estate bequeathed or devised hereby to such minor children, for the maintenance, education, comfort, and welfare of such minor children. Said guardian, in addition to the power herein specifically granted, shall have and exercise all powers over said property and estate conferred upon legal guardians of minors under the laws of the State of Alabama, or of the state in which such minors reside at the time a guardian as appointed for them.

FIFTH: I hereby nominate and appoint my said wife, MILDRED D. SMITH, to be the executrix of this Will. Should she die, resign, be disqualified, unable or unwilling to act as such, then I nominate my sister-in-law, Lois O'Kelley to be the executrix and I direct that neither of the aforementioned

Filed in office this the 10th
day of December, 1965
for Probate and Record.

George L. Anthony
Judge of Probate

BOOK 23 PAGE 300

SIGNED FOR
IDENTIFICATION:*Aulton V. Smith*

be required to make any inventory, or make any official bond, or be accountable to any court whatsoever for their actions.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal on this the 20th day of July, 1963.

Aulton V. Smith (SEAL)

Signed, sealed, published and declared by the above named AULTON V. SMITH, as and for his last will and testament, in the presence of us, who, in his presence, and in the presence of each other, have hereto set our hands as witnesses.



19780109000002990 2/2 \$.00
Shelby Cnty Judge of Probate, AL
01/09/1978 12:00:00 AM FILED/CERT

Charles C. Twiss

ADDRESS: COLUMBIANA, ALABAMA

Lamie Brasher

ADDRESS: COLUMBIANA, 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 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 Aulton V. Smith, Deceased and that said Will

together with the proof thereof have been recorded in my office in Judicial Record, Vol. 82 Page 505-50

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Mar. 30, 196

Form No. 33

J. Paul Meeks Judge of Probate

STATE OF ALA: SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED.

1978 JAN -9 PH 2:56

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Rec. 3.00

Sub. 1.00

I, O. H. Florence, Judge of the Court of Probate for Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the

last will and testament of the above named Aulton V. Smith, as appears of record in said Court. Witness my hand and seal of said Court

this 9 day of January 1978

O. H. Florence