

one or the other of the two Trust Estates shall be solely at the discretion of value as far as possible to make them. The allocation of particular property to Trust in such a way that such trusts shall be of equal value, or as nearly equal residue of my estate shall be divided between the Marital Trust and the Family shares shall hereinafter sometimes be referred to as the "Family Trust". Such after sometimes be referred to as the "Marital Trust" and the other of said hereinafter referred to as the "Trust Estates". One of such shares shall herein- the property constituting the aforesaid residue of my estate into two shares Such joint Trustees shall as soon as practicable after my death divide conditions and with the powers and duties hereinafter stated.

Trustees, in trust nevertheless for the uses and purposes and upon the terms and Veronica A. Dobbins, and unto my brother, William Durrell Dobbins, Jr., as joint and character and whosoever situated I give, devise and bequeath unto my wife, All the rest, residue and remainder of my property of whatsoever kind

ITEM THREE:

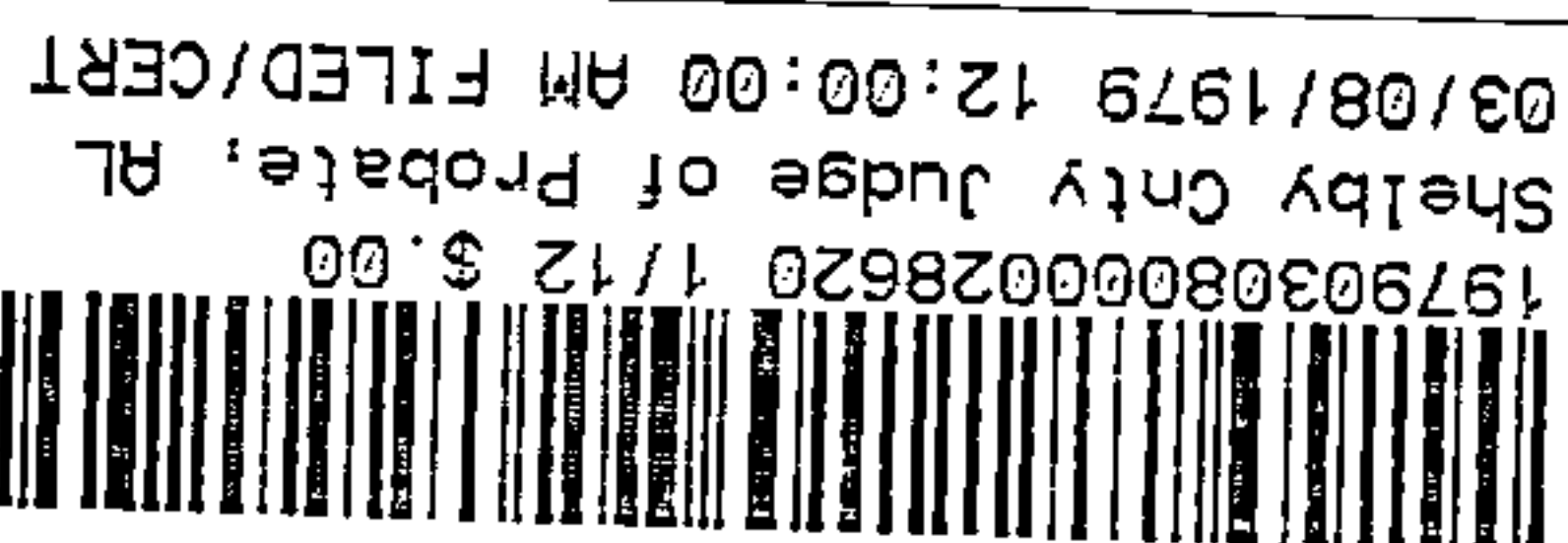
I may own, absolutely, if she be living at the time of my death. both useful and ornamental, personal effects and any automobile or automobiles Dobbins, all books, jewelry and pictures, wearing apparel, household furnishings I hereby give, devise and bequeath unto my beloved wife, Veronica A.

ITEM TWO:

after my death as conveniently may be. debts, including my funeral expenses and expenses of my last illness, as soon I order and direct that my Executors hereinafter named pay all my just

ITEM ONE:

ment and hereby revoke all wills and codicils heretofore made by me. of age, do hereby make, publish and declare this to be my last will and testa- being of sound mind and disposing memory and more than twenty-one (21) years I, GEORGE SEANEY DOBBINS, a resident of Jefferson County, Alabama,



JEFFERSON COUNTY
STATE OF ALABAMA

Last Will and Testament 38539

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the said trustees.

It is my intention that this provision of my will be interpreted in such a way as to take full advantage of the maximum marital deduction for inheritance and estate tax purposes. In designating the aforesaid properties and in making the computations necessary to determine the items constituting the Marital Trust and the Family Trust, the Joint Trustees shall have and exercise the power to determine and assign values to the properties included in my estate; however, the values as finally determined in the federal estate tax proceeding shall control and if necessary such Joint Trustees may make adjustments and transfers accordingly so as to effectuate my intention to obtain the said maximum marital deduction.

In making the apportionment for the Marital Trust as herein directed, there shall be designated only those properties qualified for the marital deduction hereinabove mentioned.

ITEM FOUR:



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03/08/1979 12:00:00 AM FILED/CERT

The Marital Trust shall be held in trust for the use and benefit of my wife, Veronica A. Dobbins, for and during her lifetime. During such period the Joint Trustees shall transfer and pay over to my said wife the entire net income from the Marital Trust. Such entire net income shall be distributed to my wife at least annually, or, at the discretion of such Joint Trustees, at more frequent intervals. If at any time during such period the net income from the Marital Trust shall in the opinion of the Joint Trustees, when added to any other income my wife may have, be insufficient for the proper support and comfort of my wife, the Joint Trustees shall pay over to her such additional sum or sums out of the principal of the Marital Trust as the Joint Trustees may deem necessary or desirable for such purposes.

Upon the death of my wife, Veronica A. Dobbins, the Marital Trust herein established for her benefit shall terminate and the surviving Trustee shall thereupon transfer and pay over the property constituting such Marital Trust to such person or persons (including the estate of my said wife) and in such manner and in such portions as my said wife may by her last will and testament designate and appoint. In the event, however, that my wife shall die having left no last will or having left such last will shall have failed to exercise the foregoing power of appointment, then from and after the death of my wife, the property

constituting the Marital Trust shall be added to, merged with and administered and disposed of in like manner as the property constituting the Family Trust as herein provided.



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ITEM FIVE:

Powers of Joint Trustees under the Marital Trust. In the management

and control of the Marital Trust estate and of all parts thereof, the Joint Trustees may in their sole judgment and discretion do and have done with respect to the trust estate and any and every part and parcel and share thereof, all things which in their sole judgment and discretion they may deem necessary, desirable or proper to promote, protect, and conserve the interest of the Marital Trust estate and the beneficiary thereof, in like manner as if the Joint Trustees were entitled to said property beneficially. Without in any wise limiting the generality of the foregoing, but solely in order to define with particularity certain of the powers herein invested in the Joint Trustees, it is further declared that the Joint Trustees may in their sole judgment and discretion have and exercise among others, the following powers, to wit:

(a) To retain any investments, securities, or property originally received or thereafter acquired from any source whatsoever by the Joint Trustees, and from time to time to invest any and all funds coming into the hands of the Joint Trustees, in such securities, investments or other property, real or personal, as the Joint Trustees in their sole discretion deem advisable, however doubtful and hazardous and regardless of the fact that such property may not be producing income and whether so-called "legal" investments or not and whether or not such property or investments may be such as are authorized or deemed proper for investment by a trustee under the constitution and laws of the State of Alabama or under the rules of any court having jurisdiction or any custom, or usage or declaration of policy or otherwise, without regard to the location thereof, whether in or outside of the State of Alabama or the United States of America. The Joint Trustees shall not be liable to anyone for any depreciation or decrease in value of, or for having acquired or retained any such property or investments, however hazardous, doubtful or limited the same may be;

(b) To lease, sell or exchange or otherwise dispose of at public or at private sale and to make contracts with respect to all or any part of the Marital Trust estate, without notice to any one or order of court, and to assign,

BOOK 29 PAGE 791



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WILL
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transfer and convey any and all thereof at such times, for such terms (even though such terms may extend beyond the termination of the trust) for such consideration and upon such conditions as the Joint Trustees may deem proper, and in any case without liability on the part of the lessee, purchaser, assignee or transferee to see to the proper application of the purchase price or other consideration; to exercise such powers under any power or authority or in the performance of any duty conferred or imposed on the Joint Trustees hereunder;

(c) To manage and control any shares of stock, certificates of interest, bonds or other securities of any corporation, trust or association at any time subject to such Marital Trust and with respect to the same to concur in any plan, scheme or arrangement for the consolidation, merger, conversion, recapitalization, reorganization or dissolution, or the lease or disposition of the properties of any such corporation, trust or association and generally to participate in and become a party to any such plan, scheme or arrangement and to agree and bind themselves so to do by deposit with a protective or other committee or trustees or otherwise and whether any such plan, scheme or arrangement may have been proposed or promulgated with power to accept any securities of any denomination or description of any corporation, trust or association which may be a party to or result from any such plan, scheme or arrangement, and generally to represent the Marital Trust estate at any and all meetings of the holders of any of the aforesaid securities either personally or by proxy, with or without power of substitution, and at any such meeting to vote upon any matter submitted thereto, ordinary or extraordinary;

(d) To collect all debts and obligations at any time belonging to the Marital Trust estate and to extend time for the payment of the same in such manner, by such processes and upon such terms as in their judgment may seem proper; to compromise or submit or arbitrate any matter in dispute, including liability of the Marital Trust estate or the beneficiary thereof for taxes of any kind whatsoever; and to purchase and to join with others in purchasing any property which may be subject to a lien in favor of the Marital Trust estate;

(e) To hold bonds, notes, and other securities in bearer form and to omit to register them; to hold stocks, bonds, notes or securities or property in names other than that of the Joint Trustees or in the name of the Marital Trust, and all without any indication that the securities or property are held in trust and without any disclosure of the fiduciary capacity of the trustee;

BOOK 29 PAGE 792

(f) To invest the trust funds or property in any partnership or joint venture and to become a member thereof and the Joint Trustees shall not be liable or responsible for any loss occurring by reason thereof;

(g) To continue any business or partnership in which I may be interested at the time of my death, for such time and under such management and conditions as in the discretion of the Joint Trustees may be expedient, or to liquidate or dissolve any such business or partnership at such time and upon such terms and conditions as in the judgment of the Joint Trustees are for the best interests of such Marital Trust estate, or so far as may be necessary in their judgment to cause to be incorporated any such business or partnership in which I may be interested at the time of my death, or to protect any interest which I may have in the securities of any corporation;

(h) Privately and without order of court to borrow any money which the Joint Trustees may deem advisable for the protection or proper administration of the Marital Trust estate, and to mortgage any of such trust property for the purpose of securing same, with full power and authority to renew or extend any indebtedness at any time existing against any of the Marital Trust estate;

(i) At any time or from time to time to advance money to the Marital Trust estate from the personal funds of the Joint Trustees or either of them for any purpose or purposes of the Marital Trust and to reimburse themselves for the money advanced and interest thereon from such trust property or from any funds belonging to the Marital Trust estate thereafter coming into their custody from any source;

(j) The Joint Trustees shall pay from and out of the income of the Marital Trust property any and all expenses reasonably necessary for the administration of the Marital Trust, including interest, taxes (except estate, inheritance and death taxes which are to be paid as elsewhere in this will provided), insurance, including public liability insurance, and compensation to the successor trustee (if payable), as well as any other expense incurred for the benefit of the Marital Trust estate, and in the event the income from the trust property is insufficient for the purpose of paying such expenses, the same may be paid from the corpus of the trust estate;

(k) It is hereby expressly provided that all payments to the beneficiary of the Marital Trust are to be made to such beneficiary in person or directly for maintenance and support and that no interest of such beneficiary

shall be subject to assignment or be liable in any way for such beneficiary's debts;

(1) The Joint Trustees are also authorized to purchase or subscribe for stock in corporations which own or may acquire real estate for the purpose of developing the same by subdividing, improving and selling or renting the improved property. The Joint Trustees are further authorized as the holder of said stock to exercise any power or right which they could do if they were the absolute owners thereof, including among other powers the right to vote the same in favor of the incurring of any indebtedness or other liability by any such corporation and the executing of mortgages or other encumbrances upon any of its property and to execute any waivers, consents or other instruments in connection with any of said matters. The Joint Trustees may also assign or pledge any stock owned by this Marital Trust in any such corporation as security for any loans or other obligations of such corporation. The fact that Joint Trustees or either of them may be personally interested in any such corporation or any transaction relating to any such matters shall in nowise affect or impair the power and authority herein established with respect to any matter arising under this Marital Trust.

ITEM SIX:

With further reference to the aforesaid maximum marital deduction intended to be obtained by this my will, I desire to make certain additional provisions:

I empower my Executors and Trustees, regardless of any adverse interest, from time to time, and as often as may appear advisable, to construe all of the provisions of this my will which shall require construction in order that my estate may become and remain entitled to such maximum marital deduction, and to adopt, or agree to, or acquiesce in such construction thereof as may from time to time be required, or appear to be necessary or advisable, in order that such deduction may be obtained for my estate.

In the event of the death of my wife, Veronica A. Dobbins, after my death but prior to a division or distribution of my property as provided herein, the Joint Trustees shall nevertheless proceed to divide my property into the two Trust Estates as provided in Item Three, above, and shall distribute the Marital Trust among such persons and in that same manner provided for in the Item Four, above.

My wife shall have the absolute power of appointment as provided by

Item Four, above, to be exercised by her last will and testament whether she dies before, during or after a division of my property into the Marital Trust and the Family Trust, and immediately upon my death the Marital Trust shall vest in the Joint Trustees to be held subject to the provisions herein contained, and subject to the powers and duties of the Executors including that of distribution.

I direct that the entire federal estate tax with respect to property included in my gross estate, whether disposed of by this will or not, shall be paid out of that portion of my estate which comprises the Family Trust. I further direct that any legacy, succession, inheritance or other death taxes imposed by reason of my death, whether in respect of property disposed of by this will or not, shall also be paid out of that portion of my estate which comprises the Family Trust. I authorize my Executors or Trustees to compromise and pay as soon as convenient after my death from such Family Trust any such taxes on future or contingent interests.

ITEM SEVEN:

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The trusts created by this my will shall be treated as operating from the date of my death whether the trust property shall then be actually paid over to the Joint Trustees and set aside, or not, and I hereby authorize and empower my Executors to make any payment which the Joint Trustees are authorized to make after the actual establishment of these trusts.

ITEM EIGHT:

The Joint Trustees shall not be required to pay any interest on any money in their custody while awaiting distribution and investment under the terms of this my will.

ITEM NINE:

In the distribution of my estate or either of the Trust Estates herein created my Executors or Trustees in their discretion may pay over the bequests, share or shares to be distributed either in cash or in property, or partly in cash and partly in property, and at such valuation as shall to them seem proper. The determination of such Executors or Trustees of the value of any property for the purpose of distributing any such bequest or share shall be conclusive upon the distributee. This provision shall not be so construed as to restrict the power of the Joint Trustees to make adjustments and transfers based upon the final

determination of values in the federal estate tax proceedings as provided by Item Three, above.

ITEM TEN:

On August 1, 1949 there was created by a certain instrument executed by William Durall Dobbins, Jr., my brother (such instrument being of record in the Probate Office of Jefferson County, Alabama, at Birmingham, Deed Record 5364 at page 222), a trust for the benefit of the children born of my marriage to Veronica A. Dobbins. Under such instrument I was appointed and am presently acting as trustee and William Durall Dobbins, Jr., my brother, and Veronica A. Dobbins, my wife, become the successor trustees upon my death. It is my desire and I hereby direct that the Joint Trustees herein appointed shall, after paying or making due provisions for the payment of the obligations imposed upon the Family Trust herein created (including, without being limited to, the payment of estate, inheritance or death taxes, as provided in Item Six, above), then transfer and pay over the entire Family Trust unto the trustees and into the trust estate created by the aforesaid trust instrument of August 1, 1949. Thereafter such property of the Family Trust shall be administered as a part of such trust of August 1, 1949. The Family Trust shall then separately exist solely for the purpose of ultimately receiving and disposing of according to the terms of this will the property of the Marital Trust (if any) which shall pass to the Family Trust by reason of the failure of my wife to exercise the power of appointment over the Marital Trust property created under Item Four, above.

ITEM ELEVEN:

The provisions herein made for my wife, Veronica A. Dobbins, are in lieu of dower and any and all the rights in my estate, statutory or otherwise.

ITEM TWELVE:

On September 1, 1948, my wife, Veronica A. Dobbins, created a certain trust for the benefit of the children of our marriage (such trust instrument being recorded in the Probate Office of Jefferson County, Alabama, at Birmingham in Deed Record 4665 at page 490). It is my wish and I therefore direct my Executors that, insofar as they are able, my position as trustee under such trust instrument of September 1, 1948 be filled by my wife, Veronica A. Dobbins, and my brother, William Durall Dobbins, Jr., as co-trustees, with all the powers of the

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trustee as provided in such instrument of September 1, 1948 to be exercised by my said wife and brother jointly. It is my further wish and I therefore direct my Executors, insofar as they are able and whether or not the proceedings relating to the probate of this my will and the administration of the estate passing thereby have been terminated, to cause each of the children of my marriage with said Veronica A. Dobbins, upon his or her eighteenth birthday to become one of the co-trustees under such trust instrument of September 1, 1948. If either my said wife or brother for any reason whatever are unable to serve as co-trustee, then it is my wish that my child nearest the age of 18 years serve instead of that one, if legally possible. It is not my intention by this item of my will to alter, amend or in any way change any provision of the trust created by such instrument of September 1, 1948 but I here merely express my wishes and directions to be followed by my Executors if legally and practically possible.

ITEM THIRTEEN:

This my last will and testament shall in no wise be revoked by the birth of any child or children hereafter born to me.

ITEM FOURTEEN:

In the event my wife, Veronica A. Dobbins, 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, then my wife shall be presumed to have survived me for all purposes, whether or not in reference to the distribution of my property by the terms of this will.

ITEM FIFTEEN:

Where the term "Joint Trustees" has been herein used it shall be deemed to apply to the survivor or successor of such two Joint Trustees and such survivor or successor shall during the continuance of the trusts created by this will have all the powers and authority herein given to the Joint Trustees and shall carry on, perform and administer the trusts herein created to the same extent as if the Joint Trustees were both alive and fully capable of acting.

ITEM SIXTEEN:

I hereby nominate and appoint my wife, Veronica A. Dobbins, and my brother, William Darrall Dobbins, Jr., as Executors of this my last will and testament. Should either of them for any reason be unable to serve or refuse



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to serve in such capacity, then the other shall serve as the single Executor or Executrix as the case may be, exercising all powers and performing all duties as herein provided for the Executors. I direct that letters testamentary without bond shall be issued to such Executors (or Executor or Executrix, as the case may be) and that they shall not, nor shall either of them, be required to file any inventory or accounting of my estate in any court. For the purpose of accomplishing the distribution of my estate herein directed, my Executors shall have the same full powers of management, control and disposition over all my estate as are herein given to the Joint Trustees both under the Marital Trust and under the Family Trust and I direct that in the exercise of such powers they shall be free from the control and supervision of any court.

ITEM SEVENTEEN:

It is my intention that the Executors and Joint Trustees named herein shall serve without compensation. If, however, it becomes necessary, because of the death or incapacity of both of the persons named as Executors and as Joint Trustees, for a court to appoint successor executors and trustees, then the compensation to which they shall be entitled shall be determined by applying the lower of the rates customarily charged by banks and trust companies for such service at the time such successor executors or trustees shall serve.

ITEM EIGHTEEN:

The powers herein given to my executors and the Joint Trustees shall be construed to include the right to determine what items constitute principal and what items constitute income of my estate or the respective trust estates, and also the right to determine where a tax deduction is available for both estate tax and income tax purposes the particular tax against which such deductions shall be claimed.

IN WITNESS WHEREOF, I, GEORGE STACEY DOBBINS, have hereunto set my hand on this 1st day of January, 1953 hereby declaring the instrument



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contained on this and the ten foregoing pages initialed by me to by my last will and testament.

George Stacey Dobbins (L.S.)

The foregoing instrument was signed, published and declared by George Stacey Dobbins 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 the said instrument bears date.

Frank L. Bryendine Jr.
2016 - River Hills R.C. Bldg. 9 Ala.
Address: /

Winnie Pearl Mae Chain
5800 Mass St. S.E.
Address: /

P. J. Helppong
254125th (2519-25 St 715 Bldg.)
Address: /



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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 as 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

George Stacy Dobbins, Deceased and that said Will

together with the proof thereof have been recorded in my office in Book of Wills, Vol. 134 Page 536-547

In witness of which I have hereunto set my hand, and the seal of the said Court, this the 29 day of April 19 58

Form No. 22

J. Paul Meeks, Judge of Probate

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT

I, Peggy A. Gober, Chief Clerk 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 George Stacey Dobbins, Deceased, together
with the certificate to the probate thereof

~~the contents of~~

STATE OF ALA. SHELBY CO. rec. 18.00
I CERTIFY THIS
WILL WAS FILED Ind. 1.00
19.00

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

Given under my hand and seal of said Court, this
JUDGE OF PROBATE
the 5th day of March, 1979

Peggy A. Gober
Chief Clerk



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Shelby Cnty Judge of Probate, AL
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BOOK 29 PAGE 800