

254
C E R T I F I C A T E

IN THE MATTER OF THE PROBATE OF THE WILL OF ALBERT E. MCDONOUGH,
LENA B. COLLINS, EXECUTRIX.

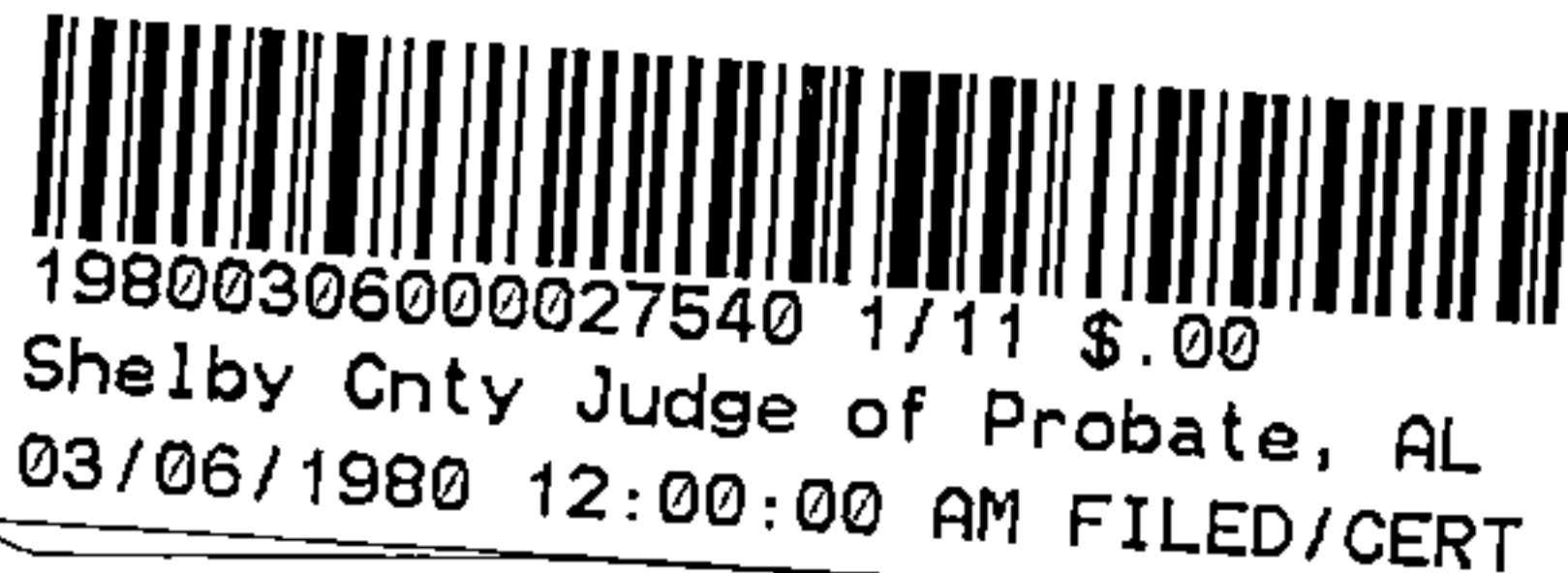
I, Thomas A. Hayes, Judge of Probate of Chilton County, do hereby certify that the above and foregoing contains a true and correct copy of the court proceedings filed in this Court on the probate of the will of Albert E. McDonough, deceased, to-wit:

1. Copy of the Petition to Probate the will.
2. Copy of the will to be probated.
3. Order Admitting the Will to be probated.
4. Copy of the Petition for Letters Testamentary by Lena B. Collins.
5. Copy of Order Appointing Lena B. Collins, Executrix.
6. Letters Testamentary issued to Lena B. Collins.

That the above and foregoing contain a full, true and correct copy of the records of the Probate Court of Chilton County and the same are recorded in the Probate Office.

Given under my hand and seal of office, this 1st day of

February, 1980.



Thomas A. Hayes
Thomas A. Hayes
Probate Judge
Chilton County

BOOK 35 PAGE 115

THE STATE OF ALABAMA

CHILTON

COUNTY

PROBATE COURT

Case No. _____

Petition of Lena B. Collins for the Probate of the Will of
Albert E. McDonough deceased.

To the Hon. Thomas A. Hayes Judge Probate Court of said County:

The petition of the undersigned Lena B. Collins respectfully represents unto Your Honor that Albert E. McDonough who was at the time of his death an inhabitant of this County, departed this life at Pine View Camp on or about the 6th day of January 1980 leaving assets in this State, and leaving a Last Will and Testament duly signed and published by him and attested by Betty L. Haisten and Mary S. Morris and A. B. Foshee

That your petitioner as she verily believes is named in said Will as Executrix and does now herewith surrender said Will to the Court and pray that after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said deceased. Your petitioner further represents that she is a friend is the widow of said deceased, and that the

names, ages, residence and condition of the next of kin are as follows, to-wit:
That the wife of Albert E. McDonough is dead, that the only son and child
of Albert E. McDonough, Eugene W. McDonough died in 1958, and left one
child: Sherry Jene Glenn of Route 1, Box 206, OA, Calera, Alabama, and
she is over the age of 21 years and was named sole devisee of the will.

STATE OF ALABAMA, CHILTON COUNTY

I hereby certify that the within

was filed in the Probate Court for record

1-14 1980, and recorded in

_____ Record

_____ page _____
and examined Thomas A. Hayes

THOMAS A HAYES

Judge of Probate

19800306000027540 2/11 \$.00
Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

Your petitioner would further represent that A. B. Foshee, Betty L. Haisten, and
Mary S. Morris are
the said attesting witnesses

Your petitioner therefore further prays that Your Honor will take jurisdiction of this her petition and cause all such notices or citations to issue to the said next of kin and to said witnesses, and cause all such proceedings to be had and done and render all necessary orders and decrees in the premises as will duly and legally affect the probate and record of said Will in this Court.

Address of Petitioner

Lena B Collins

THE STATE OF ALABAMA

CHILTON

COUNTY

Lena B. Collins being duly sworn,

deposes and says that the facts alleged in the above petition are true, according to the best of her knowledge, information and belief.

Subscribed and sworn to before me, this

7th day of January 1980Lena B CollinsA.B. Foshee,
Notary Public

Judge Probate Court

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BOOK

LAST WILL AND TESTAMENT

OF

ALBERT E. McDONOUGH

STATE OF ALABAMA

CHILTON COUNTY

KNOW ALL MEN BY THESE PRESENTS, That,



19800306000027540 3/11 \$.00
Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

I, Albert E. McDonough, 74 years of age, and a bona fide resident citizen of Riverview Camp, Chilton County, Alabama, and being of sound mind and disposing memory, do hereby make and publish this to be my Last Will and Testament and revoking any former will or wills made by me.

FIRST

I will that all of my just debts, expense of last willness, funeral and grave expense be paid by my Executrix as soon after my death as practicable.

SECOND

I will and devise all of my property, owned by me at the time of my death, both real estate and personal property, to Lena B. Collins.

THIRD

I nominate and appoint Lena B. Collins as Executrix of my Last Will and Testament, and I declare that she shall not be required to make any bond in the performance of her duties and she shall not be required to make any report to any court of her proceedings.

FOURTH

That she is authorized with full authority and poer to make any deeds, bills of sale or other conveyance in the settling of my Estate without the prior authority or approval of any Court.

Given under my hand and seal this 28th day of November, 1979.

Albert E. McDonough
Albert E. McDonough

The undersigned witnesses certify that the above named Albert E. McDonough read and executed the above and foregoing instrument as his last will and testament in our presence, voluntarily, and in

witnessed the same in his presence and in the presence of each other
on this the 20th day of November, 1979.

Witness

Joseph S. Hunter

Witness

Mary S. Harrison

Witness

BOOK 35 PAGE 118

I hereby certify that the within and
filed in the Probate Court for the County of
1-14- 19 80, and recorded in
_____ Record
_____ page
and examined Thomas A. Hayes
THOMAS A HAYES
Judge of Probate



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Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

STATE OF ALABAMA,

PROBATE COURT

CHILTON

COUNTY

January 29 19 80

In the Matter of the Estate of Albert E. McDonough deceased.This the 29th day of January 19 80, having been regularly appointed by an order of this Court, formerly made and entered, for hearing the application ofLena B. Collins which was heretofore filed in this Court,

for the probate of an instrument in writing, purporting to be the Last Will and Testament of the said

Albert E. McDonough deceased, now comes the saidapplicant, Lena B. Collins

and also comes

19800306000027540 5/11 \$.00
Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT~~who was heretofore duly appointed by order of this Court and who consented to act as Guardian ad Litem for~~
STATE OF ALABAMA, CHILTON COUNTY

I hereby certify that the within

was filed in the Probate Court for record

Jan 29 1980 and recorded in

Record

page

and examined Thomas A. Hayes all of whom are minors

THOMAS A HAYES

Judge of Probate

and children and heirs of the said deceasedand it appearing to the satisfaction of the Court that notice of the said application and of the time appointed for hearing same has been given in pursuance of law and in strict accordance with a former order of this Court, made and entered in the premises on the 14th day of January 19 80 now, on themotion of the said Lena B. Collins

the applicant aforesaid, the Court proceeds to hear said application. And it appearing to the satisfaction of the

Court, on the testimony of A. B. Foshee, Betty L. Haisten andMary S. Morris that they, on the day of the date thereof,in the presence of the testat or, and at his request, respectively signed the said instrument as subscribing witnesses to the same, the said testat or then declaring that said instrument constituted hisLast Will and Testament; and it also being shown to the satisfaction of the Court by competent testimony that said testat or was of the full age of twenty-one years and upwards at the time of making said Will, it seems to the

Court that said application should be granted: It is, therefore, ordered, adjudged and decreed by the Court that

said Will of said Albert E. McDonough deceased, be received,and the same is hereby declared to be duly proved as the Last Will and Testament of said testat or, and, as

such, admitted to probate to be recorded, together with the proof thereof and all other papers on file relating to

this proceeding. It is further ordered that said applicant pay the cost of this proceeding and that she

be reimbursed on the final settlement of said estate.

Judge of Probate.

THE STATE OF ALABAMA

CHILTON COUNTY

PROBATE COURT

Petition of Lena B. Collins for Letters Testamentary on theWill of Albert E. McDonough deceased.TO THE HON. THOMAS A. HAYES JUDGE PROBATE COURT SAID COUNTY:The petition of the undersigned Lena B. Collins

respectfully represents unto Your Honor, that in the Last Will and Testament of

Albert E. McDonough

deceased, which Will and Testament has been

duly probated and admitted to record in this Court, Lena B. Collins

named as the Executrix thereof:

19800306000027540 6/11 \$.00
Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERTthat the said testator died seized and possessed of certain real and personal estate, consisting chiefly of
House and Lot in Calera contracted to be sold for \$28,500.00; Mobile
Home of the value of \$4000.00; 1966 Pontiac automobile value - \$500.00all of said real and personal estate being
estimated to be worth about Thirty-three Thousand and no/100 Dollars, and probably not more;that your petitioner Lena B. Collins is aninhabitant of this State, above the age of twenty-one years, and in no respect disqualified, under the law, from
serving as ExecutrixTo the end, therefore, that the said property may be collected and preserved for those who shall appear
to have a legal interest therein, and the said will executed according to the requests of the said testator, your
petitioner pray that Your Honor will grant Letters Testamentaryto her as Executrix of said Last Will and Testament, upon~~entering into bond in such sum as is required by the statute, and with security or securities to be approved by~~Your Honor. That the said Lena B. Collins was expressly exemptedin and by said will from giving bond as MA, CHILTON COUNTY s/ Lena B. CollinsI hereby certify that the within
Executrix thereof, filed in the Probate Court for recordJan 29 1980, and recorded in
Recordpage
and examined Thomas A. Hayes
THOMAS A. HAYES
Judge of ProbateLena B. Collinsbeing duly sworn depose and says that the facts alleged in above petition are true according to the best
of her knowledge, information and belief.

Subscribed and sworn to before me this the

29th day of January 19 80s/ Lena B. CollinsJudge Probate Court
Notary Public

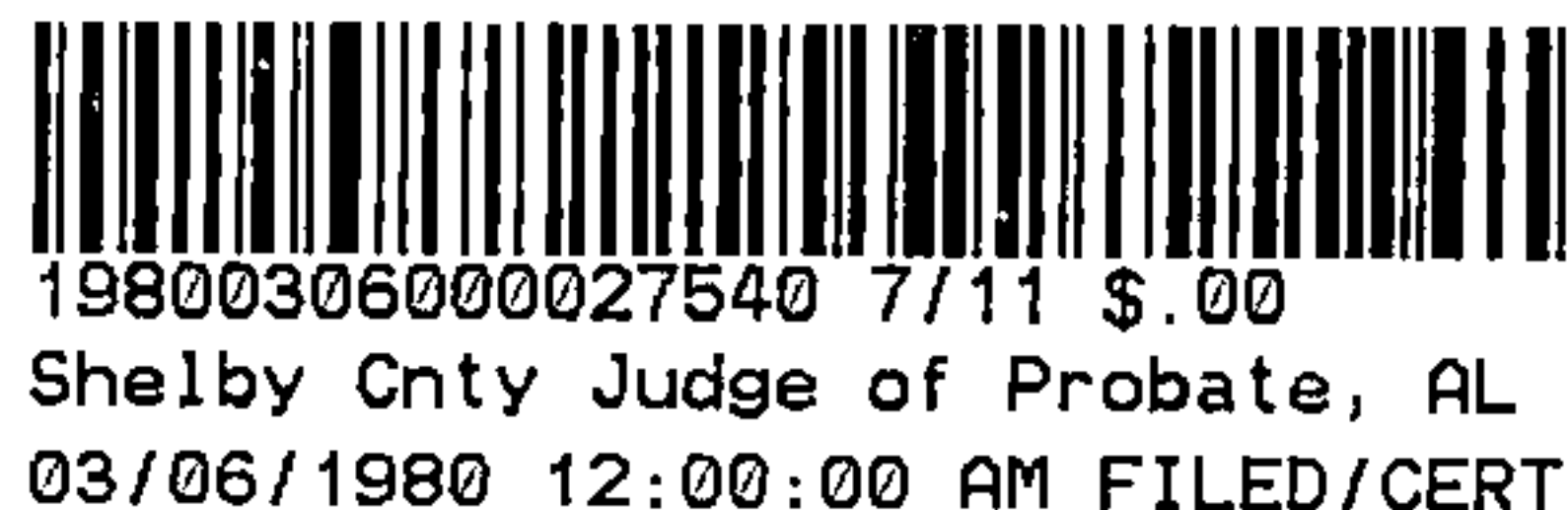
BOOK 35 PAGE 120

THE STATE OF ALABAMA

CHELTON

COUNTY

Probate Court

In the Matter of the Estate of ALBERT E. McDONOUGH Deceased.Present Hon. THOMAS A. HAYES Judge of Probate.This day comes Lena B. Collins and presents to the Court herapplication in writing, under oath, praying that Letters Testamentary may issueto her as executrix of the last Will of Albert E. McDonough deceased;and the Court being now already fully advised concerning the death of the said Albert E. McDonoughand that in his will, heretofore filed and admitted toprobate by this Court, the said Lena B. Collins named as executrix thereof:

and it now further appearing to said Court, from the allegations contained in said application, and from other

good and sufficient evidence, that the said petitioner is of the full age oftwenty-one years is inhabitant of this State, and is fit person under the law and in the

estimation of the Court to serve as said executrix and that the value of the estate, both real and

personal of the said deceased, is about Thirty-three Thousand and no/100 ----- Dollars,and probably not more, and no person having appeared to oppose the granting of Letters to the said Lena B. Collins

or to show cause why the application of said petitioner should not be granted; it is ordered that the same be

granted, provided that the said Lena B. Collinsfirst file in this Court bond as such executrix in the penal sum of \$----- Dollars,

conditioned and payable according to the statute in such cases made and provided, with security or securities

to be approved by the Court.

It is further ordered that the said petition be recorded STATE OF ALABAMA, with security or securitiesI hereby certify that the within was filed in the Probate Court for recordJan 29 1980, and recorded in Recordpage 1and examined Thomas A. Hayes

THOMAS A HAYES

Judge of Probate

And now again comes -----and present to the Court for approval bond in form as by this Court heretofore required, with----------as security ~~thereon~~ and the Court being now sufficiently advised concerning said bond and said security,

it is ordered by the Court that the said bond be taken, approved and recorded.

It is therefore ordered, adjudged and decreed by the Court that Letters Testamentary -----be granted to the said Lena B. Collinsas executrix under said Will. It is further ordered that the said Lena B. Collinsproceed immediately to collect and take into her possession the goods and chattels, money, books, papers and evidences of debt of said deceased, except the personal property specifically exempted under Section 7921 Code, in favor of the widow and minor children, and make due return under oath, to this Court, of a fulland complete inventory thereof within two months. It is further ordered that ---------------

he and they hereby are appointed Appraisers of the personal property of said estate, and that a warrant of

appraisement be issued to them, notifying them of their appointment, and that they make due return under

oath to this Court, of their proceedings within two months.

This January 29th, 1980.s/ Thomas A. Hayes

Judge of Probate.



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Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

Form 1106-3. (Rev. July, 1945) LETTERS TESTAMENTARY (Code 1940, Tit. 61, Sec. 70) Printed and for Sale by Roberts & Son, Birmingham

THE STATE OF ALABAMA

CHILTON County

COURT OF PROBATE

The will of Albert E. McDonough, deceased,

having been duly admitted to record in said County, letters testamentary are hereby granted to _____

Lena B. Collins

Rec. 12.00
Ind. 1.00
13.00

1980 MAR -6 PM 3:59

Judge of Probate

_____, the executrix named in said will, who has _____ complied with the requisitions of the law, and is authorized to take upon herself the execution of said will.

Witness my hand, and dated this 29th day of January, 1980.

STATE OF ALABAMA, CHILTON COUNTY

I hereby certify that the within _____
was filed in the Probate Court for record
Jan 29 1980, and recorded in
_____ Record

_____ page _____
and examined Thomas A. Hayes
THOMAS A HAYES
Judge of Probate

Thomas A. Hayes
Judge of Probate

ROBERTS & SON, BIRMINGHAM-W

BOOK 35 PAGE 122

IN THE MATTER OF THE ESTATE OF ALBERT E. (A.E.) MCDONOUGH, DECEASED,
LENA B. COLLINS, EXECUTRIX AND SOLE DEVISEE.

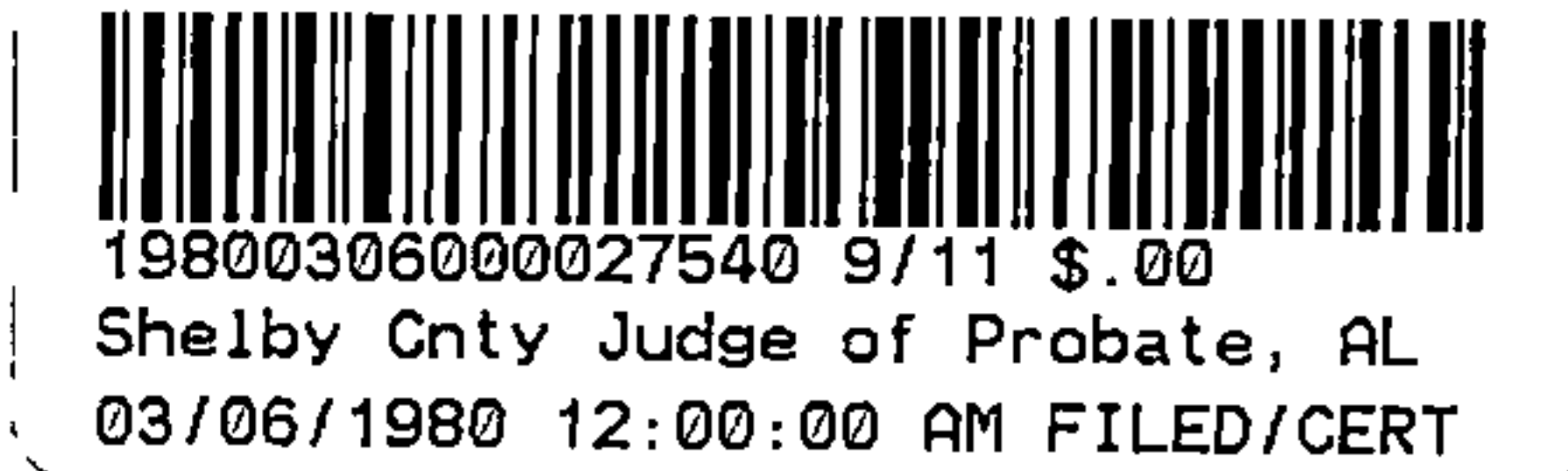
A F F I D A V I T

That Lena B. Collins, Executrix of Albert E. (A.E.) McDonough Estate and individually as sole devisee of said estate, and Attorney of record, A. B. Foshee, made the following statement showing the total assets of the estate and also all of the debts and liabilities of the estate filed with the Probate Court and with the Executrix.

That the will of Albert E. McDonough, deceased, was admitted to probate in the Probate Court of Chilton County January 29, 1980 and Lena B. Collins was designated as Executrix of said estate and was issued Letters' Testamentary on that date and she was also named as the sole devisee of all of the property of the deceased and given full power and authority to make deeds and conveyances in the settling of his estate without the prior authority or approval of any Court.

A S S E T S

- | | |
|---|-------------|
| 1. Lots 11 and 12 in Block No. 267, according to J. H. Dunstan's Map of the Town of Calera, Alabama, less and except the West 72.00 feet thereof, subject to fences and matters of survey as shown by map or plat of Frank W. Wheeler, Registered Land Surveyor dated October 11, 1979. | \$28,500.00 |
| 2. Hillcrest Mobile Home, Serial No. 1087141 sold Feb. 5, 1980 to Thomas K. Smitherman and Linnie Pearl Ware | \$ 5,250.00 |
| 3. Union Fidelity Life Insurance Co. Premium refund | \$ 40.96 |
| 4. 1979 Toyoto Pickup Truck, Serial No. RN32-004548
There is owed to Central State Bank on purchase money security instrument on the above 1979 Toyoto Pickup as of 2-5-80 -\$4643.94 | \$ 4,600.00 |



The only cash receipts so far is for the sale of the Mobile Home of \$5250.00 and the insurance refund of \$40.96.

\$38,390.96

D E B T S

- BOOK 35 PAGE 124
1. Probate Court, Chilton County \$ 33.55
January 29, 1980 Court cost
 2. A. B. Foshee
Court proceeding - 1-29-80 1,000.00
 3. Cowart's Drug Company, Calera, Al.
Claim filed 2-8-80 45.02
 4. Bolton Brown-Service Funeral Home
P. O. Box 1066, Columbiana, Al
1-22-80 Claim filed 1,720.00
 5. Becky's Interiors
Main Street, Calera, Al 35040
Claim filed 1-24-80 667.38
 6. Central State Bank
Calera, Al. Claim filed 1-24-80 5,151.06
The Toyoto truck securing this is
in the hands of the Bank and is
expected to bring the amount owed
the Bank on the truck included in
the above figure of \$4643.94.
 7. Baer's Dept. Store
Calera, Al
Claim filed 2-5-80 445.93
 8. Bird Supply Company
Calera, Al
Claim filed 2-11-80 115.00
 9. ~~Wayne E. Smith~~ ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ 100.00
~~Route 3, Box 510~~ Oliver P. Head, Attorney
~~Calera, Al 35124~~ legal services in property title
 10. New Process Company 29.45
Warren Penna. 16366
 11. Shell Oil Company 260.80
P. O. Box 150
Tulsa, Oklahoma 74183
 12. Chevron U.S.A. Inc. 351.94
P. O. Box 2001
Concord, CA 94529
 13. Alabama Power Company 105.94
P. O. Box 149
Clanton, Al 35045
 14. Birmingham Orthopedic Group, P.A. 50.00
1800 12th Ave.
Birmingham, Al 35205
 15. Master Charge 25.84
Service Center Annex 1
P. O. Box 11407
Birmingham, Al 35246



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Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

\$10,101.91

The attorney fee for closing the sale of the
house and fees are owed on the closing of
the home loan

?

The assets of the estate are not enough for an estate tax return to be filed with IRA or with any tax department for the State Department of Alabama. That the above debts and any other debts will be paid from the proceeds of the sale of the real estate and it is the judgment of the affiant that it will be sufficient to pay all of the debts owed that have been so far filed in the Probate Court in this estate.

That Lena B. Collins, Individually, as well as Executrix of the estate, states that if any other unpaid claims come to light that she guarantees payment of same and that the estate will not be closed until the debts are all paid.

Lena B. Collins
Lena B. Collins
Executrix also Sole Beneficiary

A. B. Foshee, Attorney

19800306000027540 11/11 \$.00
Shelby Cnty Judge of Probate, AL
03/06/1980 12:00:00 AM FILED/CERT

Sworn to and subscribed before me this 19th day of February,
1980.

Barbara D. Avery
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
DOCUMENT WAS FILED

1980 MAR -6 PM 3:59

Thomas P. Snowden, Jr.
JUDGE OF PROBATE

Rec. 4.58
Ind. 1.00
5.58

BOOK 35 PAGE 125

NOTARY
PUBLIC