

LAST WILL AND TESTAMENT

29521

902 OF

PAUL BANKER

STATE OF ALABAMA)

JEFFERSON COUNTY)



19801021000120230 1/2 \$.00
Shelby Cnty Judge of Probate, AL
10/21/1980 12:00:00 AM FILED/CERT

I, Paul Banker, a resident of the City of Birmingham, Jefferson County, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this to be my last will and testament, hereby revoking any and all wills and testamentary dispositions heretofore made by me.

ITEM I. I direct that all of my just debts, including the expenses of my last illness and funeral, be paid by my Executrix, hereinafter named, as soon after my death as she shall deem advisable.

ITEM II. All the rest and residue of my estate, real, personal and mixed, and wheresoever situate, I hereby give, devise and bequeath unto my beloved wife, Nell Janet Banker, to have and to hold the same to her absolutely and forever.

ITEM III. If my said wife shall predecease me, then and in that event, I give, devise and bequeath to Alabama-Mississippi Conference Association of Seventh Day Adventist Church, Meridian, Mississippi, a sum equal to ten per cent of the value of the rest, residue and remainder of my estate, for the general use of said church without any restriction or condition whatsoever. For the purpose of determining the amount of the bequest here given, the Executrix of my will shall inventory and appraise the rest, residue and remainder of my estate, and such inventory and appraisal, when made and filed with the court, shall be final and conclusive and not subject to review in any court.

ITEM IV. If my said beloved wife, Nell Janet Banker, dies before I do, then and in that event I give, devise and bequeath to my beloved children, Paul Lyle Banker, Mary Gwendolyn Banker, and Dorothy Janet Banker, all the rest and residue of my estate, real, personal and mixed and wheresoever situate, of which I may die seized or possessed, or to which I may be entitled at the time of my death, or to the survivor of them, share and share alike. In the event either of my said children should predecease me, leaving a child or children of his or her body, it is my desire and I so direct that the child or children of such deceased child shall take the share its parent would have taken had he or she survived me.

ITEM V. I hereby nominate, constitute and appoint my beloved wife, Nell Janet Banker, as the Executrix of this my last will and testament, and I hereby specifically exempt her from giving any bond or bonds whatsoever in connection with her appointment as Executrix of my estate and in connection with the administration of my estate by her. I do hereby further specifically exempt my said Executrix from filing any inventory and from making any report whatsoever to any court or person of her acts and doings as the Executrix of my estate.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 22nd day of August, 1950.

Paul Banker (SEAL)

Signed, sealed, published and declared by the above named Paul Banker as and for 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 hands as witnesses thereto on the day the same bears date.

Emmeline Johnson

BOOK 38 PAGE 36

No. _____

10

DEFENDANT

VS.

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PLAINTIFF

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AYLOR & HIGGINS
ATTORNEYS FOR

BOOK 38 PAGE 37



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OCT 21 1980 2:54
Fees: 3.00
1.00
4.00

CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

I, Tom C. Garner

102 PAGE 133
Judge of the Court of Probate, in and for said

County, do hereby certify that the foregoing instrument of writing has been duly proven by the proper testimony, to be the genuine last Will and Testament

Paul Banker, Deceased and that said Will

with the proof thereof have been recorded in my office in Book of Wills, Vol. 102 Page 133 - 133

at which I have hereto set my hand, and the seal of the said Court, this the 10 day of June, 19 53

Tom C. Garner Judge of Probate