

# Last Will and Testament 102695

OF

CARLTON EDWARD WHITE

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STATE OF ALABAMA

JEFFERSON COUNTY

I, CARLTON EDWARD WHITE, also known as C. E. WHITE, and as CARLTON E. WHITE, a resident of Birmingham, in said County, in said State, being of sound mind and disposing memory, and over the age of twenty one years, do hereby make, publish and declare this instrument as and for my LAST WILL AND TESTAMENT, hereby revoking any and all wills and codicils at any time heretofore made by me.

I direct that all of my just debts, including the expense of my last illness and funeral, shall first be paid out of my estate by my Executor hereinafter named, as soon after my decease as may by him be found convenient.

ITEM TWO: I give and bequeath unto my beloved wife, JEWEL GENEVA CORNELIUS WHITE, all of my personal effects whatsoever, including any automobile which I may own at the time of my death, I having heretofore provided for my said wife by executing Survivorship Deeds to certain real estate owned by me, said real estate to be hers absolutely at the time of my death.

ITEM THREE: I hereby direct my Executor hereinafter named, to pay over to my wife, JEWEL GENEVA CORNELIUS WHITE, out of my estate, a sum of money equal to the balance due on that certain first mortgage on my homeplace at 5621 8th Court, South, Birmingham, Alabama, at the time of my death. I direct that my said wife shall either pay off said mortgage in full immediately or may deposit said sum into a savings account so that it may draw interest, and use the bequest to make the monthly payments on said mortgage as they come due until paid in full.

ITEM FOUR: I give, devise and bequeath unto my beloved son, CARLTON EARL WHITE, all of the rest, residue and remainder of my property, real, personal or mixed, of whatsoever kind and character, and wheresoever situated, of which I shall die seized and possessed, or to which I may be entitled at the time of my death, to be held in a trust fund for him as

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GORHAM, KING AND DONALDSON,

215-918 FRANK NELSON BUILDING

BIRMINGHAM, ALABAMA 35203

hereinafter provided, for a period of eighteen months from the date of my death, and then paid over to my said son to be his absolutely.

I hereby nominate, constitute and appoint my brother, HOLLIS G. WHITE, as Trustee of the foregoing bequest. In the event my brother, Hollis G. White, shall not be living at the time of my decease, or in the event my said brother shall fail or refuse or disqualify to serve as said Trustee, or in the event my said brother shall become disqualified in any way or for any reason after the said Trust Estate has been created, I hereby nominate, constitute and appoint my good friend, WILLIE GRAY GIBSON, as Trustee of said bequest.

I hereby direct that my said Trustee shall set up a Trust Estate Account, to be used for the health, comfort and welfare of my said son. I direct that my said Trustee shall have the power to collect and deposit into said Trust Estate all monies and income from the corpus of my estate; that he shall have full power to invest and reinvest any or all of the corpus or income from the corpus of my said estate, as may be beneficial or profitable to said estate. That he may lease, for a term not to exceed the duration of this Trust Estate, any property belonging to or coming into said Trust Estate. That said Trustee may sell for cash, or on terms with adequate security, any or all of the property constituting the corpus of, or coming into, the said Trust Estate, but only for a profit and for the best interest of said Trust Estate, and deposit the proceeds into said Trust Estate account, which I hereby direct he shall establish in the BIRMINGHAM TRUST NATIONAL BANK.

ITEM FIVE: In the event my son, Carlton Earl White, shall predecease me, or in the event my son, Carlton Earl White, shall depart this life simultaneously with my death, in either of said events I give, devise and bequeath unto my grandson, TROY WHITE, and my granddaughter, GINGER WHITE, all of the rest, residue and remainder of my property, real, personal or mixed, of whatsoever kind and character, and wheresoever situated, of which I shall die seized and possessed, or to which I may be entitled at my death, the bequest which my son, Carlton Earl White, would



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have received if living at the time of my death, to be divided between them, share and share alike.

I direct that a Trust Estate be established for my said grandchildren by my Trustee hereinafter named, to be used for the health, comfort, education and welfare of my said grandchildren.

ITEM SIX: I hereby nominate, constitute and appoint the BIRMINGHAM TRUST NATIONAL BANK as Trustee for my grandchildren, TROY WHITE and GINGER WHITE, and direct that separate bequests shall be deposited into separate estate accounts for my said grandchildren and held in trust for them until each has reached the age of twenty one years. That the said Trustee shall pay over and deliver to each child when he or she becomes twenty one years of age, the balance held in said Trust Estate, and the trust estate shall be closed.

ITEM SEVEN: I give and grant unto my said Trustee the following powers and authority:

To collect and receive any and all monies and properties coming into the separate Trust Estates of my two grandchildren, TROY WHITE and GINGER WHITE, and deposit them into the separate Trust accounts.

To sell or convey any or all of my property, real, personal or mixed, constituting the corpus or income from the corpus of said Trust Estates, for cash or on terms, and for such amounts as the Trustee shall determine to be equitable and for the best interest of said Trust Estates.

To hold, maintain and manage said property, and such other property as might be subsequently be acquired, pursuant to the powers and authority given herein, if any such property shall be acquired.

To rent and collect the rents, and distribute rents from all of the properties held in said Trust Estates, into the respective estate accounts.

To invest or reinvest the corpus of said Trust Estates or the income from said corpus, when to do so shall be in the best interest of said Trust Estates.

To lease any or all of the properties in said Estates or coming into said Estates, for periods not to exceed the duration of the separate Trust Estates.

The Trustee may continue to hold any property or securities originally received by it as a part of said Trust Estates, particularly any stock or interest in any family corporation, partnership or business, so long as it shall consider the retention thereof for the best interest of said Trust Estates, regardless of whether such property or securities are so-called "legal investments" of trust funds.

In the disposition of any property constituting a part of said Trust Estates the Trustee may acquire other property not so-called "legal" investment of trust funds where such course is, in its opinion, to the best interest of said Trust Estates.

ITEM EIGHT: I hereby nominate, constitute and appoint my daughter-in-law, ANNETTE KELLY, as Guardian for my grandchildren, Trey White and Ginger White, and I hereby direct that the said Annette Kelly, the mother of said Grandchildren, shall use the Trust Estates and income therefrom for the health, comfort, welfare and education of my said grandchildren.

ITEM NINE: I hereby nominate, constitute and appoint my brother, HOLLIS G. WHITE, as Executor of this my LAST WILL AND TESTAMENT, and it is my will that he shall not be required to make or furnish bond, or to make or file any report with any court of his acts as such Executor.

IN WITNESS WHEREOF, I, the said CARLTON EDWARD WHITE, have hereunto subscribed my name and affixed my seal, to this my LAST WILL AND TESTAMENT, on this the 30 day of November, 1976.

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Carlton Edward White (SEAL)  
CARLTON EDWARD WHITE

Signed, published and declared to be his LAST WILL AND TESTAMENT, by the said CARLTON EDWARD WHITE, in our presence, and we, in his presence, and in the presence of each other, have hereunto, at his request, subscribed our names as witnesses, on the day of the date of said Will.

NAMES

ADDRESSES

W. E. Campbell  
Hope H. Crawford

2036 HICKORY ROAD  
BIRMINGHAM, ALABAMA

2036 Hickory Road  
Birmingham, Alabama 35216

Filed in office this 15th  
day of April, 1981  
for Probate and Record

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CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama  
JEFFERSON COUNTY

I, O. H. Florence, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument \_\_\_\_ of writing ha 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 \_\_\_\_\_ of Carlton Edward White Deceased and that said Will \_\_\_\_\_

together with the proof thereof have been recorded in my office in Judicial Record, Volume 692, Page 513-517

In witness of all which I have hereto set my hand, and the seal of the said Court, this date 4-13-81

PROBATE-93

O. H. Florence Judge of Probate.

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CERTIFICATE TO COPIES

PROBATE-67

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 AND CERTIFICATE TO PROBATE THEREOF.**

in the matter of **THE ESTATE OF CARLTON EDWARD WHITE, DECEASED.**

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

Given under my hand and seal of said Court, this  
the 7th day of May, 19 81

Peggy A. Gober

Chief Clerk

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE



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Dec 9.00  
Jud 1.00  
10.00

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