

IN THE MATTER OF
THE ESTATE OF:
MARY M. COSTON
Deceased

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
SEPTEMBER 1980
TERM
CASE NO. 98883

JUD. 665 PAGE 281

DECREE ON FINAL SETTLEMENT BY EXECUTOR

And now on this day comes Ralls M. Coston, as
Execut or under the will of Mary M. Coston,
deceased, and presents to the Court, under oath, a petition for final settle-
ment of said estate, together with acceptance^s of service and waiver^s
and consents
of notice by the legatees under said will, executed and acknowledged by each
of them as required by law, ~~and~~

and moves the Court to proceed with the hearing of said petition.

And it appearing to the Court that more than six months have elapsed
since the appointment of said Execut or, and that no claims have been
filed in this Court against said estate within the time required
by law,

And it further appearing to the Court that Ralls M. Coston, James M.
Coston, Eugenia C. Bryan, Betty Coston Lassen, Marianne Coston
Robinson, Jane Roberts Coston, Ann Coston Neff, Virginia Coston,
David Coston Brown, Eugenia Smartt Coston and Ralls Cotton, II,
are all the beneficiaries named in the will of said deceased, and that the
Execut or has complied with the terms of said will by paying over and
delivering to said beneficiaries all property and assets belonging to said
estate, as shown by receipt and release made a part of said petition.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that said
petition be and the same is granted and ordered recorded and said Execut or
discharged and released.

DONE this date, September 23rd, 1980

[Signature]
Judge of Probate

✓ KENNETH D. WALLIS
ATTORNEY AT LAW
SUITE 107 COLONIAL CENTER
1009 MONTGOMERY HWY. SO.
VESTAVIA HILLS, AL 35216

BOOK 336 PAGE 713

LAST WILL AND TESTAMENT

OF

MARY M. COSTON

38883

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

638 PAGE 837

I, MARY M. COSTON, a resident of Jefferson County, Alabama, being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, hereby revoking any former will and codicil thereto, heretofore made by me.

ARTICLE ONE

I direct that all of my just debts, including my funeral expenses and expenses of my last illness, be paid by my executor, hereinafter named, as soon after my death as practical.

ARTICLE TWO

(a) I hereby give, devise and bequeath all monies in any bank account or savings and loan account that is in my name at the time of my death to that person whose name is also jointly listed with me as owner or co-signer on any such bank account or savings and loan account. I make this provision in my Last Will and Testament in the event any such joint account is not a "right of survivorship" account.

(b) I hereby give, devise and bequeath the forty (40) acres of land I own in Shelby County to my two brothers in equal shares, Dr. Ralls McKinney Coston and James M. Coston, with the following provisions in the event either brother predeceases me:

(1) In the event my brother, Dr. Ralls McKinney Coston, predeceases me, then I hereby direct that his portion of the abovementioned forty (40) acres shall go to his wife

Filed in office this the 22nd day of Feb, 1950 for Probate and Record.

BOOK 336 PAGE 714

Mary M. Coston

Mary W. Coston

and my sister-in-law, Eugenia Smartt Coston.

(2) In the event my brother, James M. Coston, predeceases me, then I hereby direct that his portion of the above mentioned forty (40) acres shall go to my other brother, Dr. Ralls McKinney Coston.

(c) I hereby give, devise and bequeath all stocks and bonds owned by me at the time of my death to my said two brothers, Dr. Ralls McKinney Coston and James M. Coston with the following provisions in the event either brother predeceases me:

(1) In the event my brother, Dr. Ralls McKinney Coston, predeceases me, then I hereby direct that his portion of the above mentioned stocks and bonds shall go to his wife and my sister-in-law, Eugenia Smartt Coston.

(2) In the event my brother, James M. Coston, predeceases me, then I hereby direct that his portion of the above mentioned stocks and bonds shall go to my other brother, Dr. Ralls McKinney Coston.

(d) I do hereby give, devise and bequeath unto Eugenia C. Bryan my jade brooch which is set in gold and I also give, devise and bequeath to Eugenia C. Bryan a cut glass bowl.

(e) I give, devise and bequeath to Betty Coston Lassen my jade ring and her choice of any piece of crystal not otherwise the subject of any bequests in my Last Will and Testament.

(f) I give, devise and bequeath my large cut glass compote with lid to Marianne Coston Robinson.

(g) I hereby give, devise and bequeath my eight piece setting of Rogers Silverware to Jane Roberts Coston.

(h) I give, devise and bequeath my framed etching of Heidelberg, and a green glass decanter with matching glasses to Ann Coston Neff.

Mary W. Coston

(i) I give, devise and bequeath my picture of three flying cranes to Virginia Coston.

(j) I give, devise and bequeath my painting of Sloss Furnace to David Coston Brown.

(k) I give, devise and bequeath my etching of Rothenberg to Ralls Coston II.

(l) I give, devise and bequeath all personal property, furniture, books, china, silverware, glassware, and the balance of my estate to Eugenia Smartt Coston.

ARTICLE THREE

For purposes of this my Last Will and Testament, a person shall not be deemed to survive me unless such person be surviving ten (10) days after my death, nor to survive another unless such person be surviving ten (10) days after the death of such other.

ARTICLE FOUR

I hereby nominate, constitute and appoint my brother, Dr. Ralls McKinney Coston, as Executor of this my Last Will and Testament. If my said brother shall fail to serve for any reason as Executor, I nominate, constitute and appoint my brother, James M. Coston, as Executor of this my Last Will and Testament. I request and direct that neither of my said brothers in the event they act as Executors of this my Last Will and Testament be required to give any bond or other security to any court for the faithful performance of any duty as Executor of this my Last Will and Testament, nor shall they be required to file any inventory or make any accounting or settlement in any court. I hereby authorize my executor to sell and convey any and all property in my estate at public or private sale without order of the court.

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IN WITNESS WHEREOF, I have hereunto set my hand this

6 day of April, 1979.

Mary M. Coston (SEAL)
MARY M. COSTON

The foregoing instrument was signed, sealed, published, and declared by Mary M. Coston to be her Last Will and Testament and we, at her request and in her presence, and in the presence of each other, have hereunto set our signatures as attesting witnesses on the day said instrument bears date.

Susan Burns

1385 Dresser Circle
Blount Ala. 35215

Rebecca G. Atkins

523 Kasey Drive
Blount, Ala. 35215

Bertha M. Driskard

206 Ashton Ave.
Trussville, Ala. 35173

BOOK 336 PAGE 717

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 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 Mary M. Coston ____ Deceased and that said Will ____ together with the proof thereof have been recorded in my office in Judicial Record, Volume 638, Page 836-840.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Feb. 22, 1980.

PROBATE-98

O. H. Florence, Judge of Probate.

CERTIFIED COPY

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
Instrument S herewith set out as appears of record
in said Court. Witness my hand and seal of said Court
this 7th day of Dec 1981
O H Florence
Judge of Probate

Rec. 10.50
Ind. 1.00
11.50

DEC -9 PM 3:33

Return to:

KENNETH D. WALLIS
ATTORNEY AT LAW
SUITE 107 COLONIAL CENTER
1009 MONTGOMERY HWY. SO.
VESTAVIA HILLS, AL 35218