

STATE OF ALABAMA)

SHELBY COUNTY)

A. D. GORDON CERTIFICATION REGARDING
LAST WILL AND TESTAMENT

Gus Freibaum, Jr. was issued Letters Testamentary as Executor of the Estate of Andre David Gordon, also known as A. D. Gordon, on May 4, 1984. A copy of said Letters Testamentary is attached as Exhibit A and incorporated herein.

A. D. Gordon, also known as Andre David Gordon, issued a Last Will and Testament on the 4th day of February, 1976, a copy of which is attached hereto as Exhibit B and incorporated herein.

James C. Stivender, Attorney at Law, wrote a letter to me dated July 18, 1984, certifying that the enclosed copy of the Will and Letters Testamentary were true and correct copies of the original Will filed for probate and a true and correct copy of Letters Testamentary. Said letter is attached as Exhibit C and incorporated herein.

I, the undersigned, Daniel M. Spitler, certify that the attached Exhibits A, B and C were received in the same envelope through the U.S. mail on July 19, 1984.


The property made the subject of this Last Will and Testament and Letters Testamentary is located in Shelby County, Alabama, and is more particularly described as follows, to-wit:

A lot in the Town of Columbiana, Alabama, being a part of the SE 1/4 of NE 1/4 of Section 26, Township 21 South, Range 1 West and situated in the Northeast intersection of East College Street and Main Street in Columbiana, Alabama, and being the lot upon which a garage is situated and fronting 66 1/2 feet on the East side of Main Street and running back along the North side of East College Street a distance of 75 feet and being a part of Lot 62 according to Horsley's Map of Town of Columbiana; situated in Shelby County, Alabama.

DONE this 30 day of July, 1984.


Daniel M. Spitler

SWORN AND SUBSCRIBED TO before me this 30 day of July, 1984.


Notary Public
Joe L. Ball
Notary Public, State of Alabama at Large
My Commission Expires 12-27, 1984
Bonded by Western Surety

Please index in the name of
A. D. GORDON



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LETTERS TESTAMENTARY

THE STATE OF ALABAMA }
ETOWAH COUNTY }

PROBATE COURT

THE WILL OF Andre David Gordon, deceased of the said County,
having been duly admitted to probate and record, in said County, LETTERS TESTAMENTARY are

hereby granted to Gus Freibaum, Jr.

the Execut. OR named in said Will, who has

complied with the requisitions of the law, and is authorized to take upon himself
the execution of such Will.

Witness my hand this 5th day of May, 1984

Lee Wafford
Judge of Probate.

EXHIBIT A

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THE STATE OF ALABAMA, ETOWAH COUNTY

I, Lee Wofford, Judge of Probate Court in and for Etowah County, Alabama, hereby certify that the foregoing is a true and correct copy of the Letters Testamentary heretofore issued out of the Probate Court of Etowah County, Alabama, on the LAST WILL AND TESTAMENT of the said

Andre David Gordon Deceased, to Gus Freibaum, Jr.

as the Executor

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

Given under my hand and seal of said Court, this the 4th day of May, 1984

Lee Wofford
Judge of the Probate Court.

F 11,338

THE STATE OF ALABAMA
ETOWAH COUNTY

PROBATE COURT

ESTATE OF

ANDRE DAVID GORDON
Deceased.

GUS FREIBAUM, JR.

Executor

LETTERS TESTAMENTARY

Issued: MAY 4, 1984

Recorded: _____

Final Record _____

Page _____

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BOOK

LAST WILL AND TESTAMENT

OF

ANDRE DAVID GORDON

I, the undersigned Andre David Gordon, a resident of Gadsden, Etowah County, Alabama, being of sound mind and disposing memory, and over the age of twenty-one years, do hereby make, publish and declare this instrument as my Last Will and Testament, expressly revoking any and all other Wills and Codicils thereto made by me.

FIRST: I will and direct that all of my just debts, including the expense of my last illness and funeral and such Federal and State estate taxes as may be assessed against my said estate, shall be paid as soon after my death as may be practicable.

SECOND: (a) I give, devise and bequeath unto my wife, Margery F. Gordon, if she shall survive me, all of the rest, residue and remainder of such property, real, personal or mixed, of which I may die seized and possessed, or to the possession of which I may be entitled at the time of my death, wherever situated, to have and to hold absolutely.

(b) In the event my said wife, shall predecease me, I give, devise and bequeath the share of my estate herein devised and bequeathed to my said wife in (a) hereof to my daughters, Harriet Ruth Abrahm and Judith L. Jolton, in equal shares.

(c) In the event either of my said daughters shall predecease me leaving lineal descendants surviving, I give, devise and bequeath the share of my estate herein devised and bequeathed to such deceased daughter to the lineal descendants of said decedent, per stirpes.

(d) In the event either of my said daughters shall predecease me without lineal descendants surviving, I give, devise and bequeath the share of my estate herein devised and bequeathed to such deceased daughter to my surviving daughter.

THIRD: I will and direct that my Executrix, or Executor, as the case may be, hereinafter named, shall have full power and authority, without order

of court, to sell, at public or private sale and upon such terms and conditions as may be deemed to be to the best interest of my estate, any property, real, personal or mixed, of which I may die seized and possessed, or to the possession of which I may be entitled at the time of my death, and to execute good title thereto to the purchaser thereof.

FOURTH: (a) I nominate and appoint my said wife, Margery F. Gordon, if she shall survive me, as Executrix of this, my Last Will and Testament, and direct she shall not be required to give any bond for the performance of her duties, nor make any inventory of such of my property as may come into her hands, nor any accounting or settlement in any court of her actions hereunder.

(b) In the event my said wife shall not survive me, fail to qualify, die or resign before my estate has been fully administered, I nominate and appoint my brother-in-law, Gus Friebaum, Jr., as Executor of this, my Last Will and Testament, with all of the powers and exemptions herein given to my said wife in (a) hereof.

(c) In the event both my said wife and my said brother-in-law shall predecease me, fail to qualify, die or resign before my estate has been fully administered, I nominate and appoint The American National Bank of Gadsden, or such successor corporation having trust powers as shall succeed to the business of said Bank by purchase, merger, consolidation or change of charter or name, as Executor of this, my Last Will and Testament, with all of the powers and exemptions herein given to my said wife and brother-in-law in (a) and (b) hereof.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my seal on this 1st day of February, 1976.

Andre David Gordon (SEAL)
Andre David Gordon

Signed and published as his Last Will and Testament by the said Andre David Gordon in our presence and we, in his presence and in the presence of

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each other, and at his request, have hereunto subscribed our names as witnesses on the day the same bears date.

Elsie B. Bailey
Wm. S. James

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LAW OFFICES

INZER, SUTTLE, SWANN & STIVENDER, P.A.

SUITE 203 CENTRAL BANK OF ALABAMA BUILDING

P. O. DRAWER 287

GADSDEN, ALABAMA 35902

PHONE 205 546-1656

ROGER C. SUTTLE
JAMES C. INZER, JR.
JAMES C. STIVENDER
JAMES S. SLEDGE
JAMES C. INZER, III
F. MICHAEL HANEY
W. ROSCOE JOHNSON, III

JAMES C. INZER
1887-1967
JOHN A. LUSK, JR.
1891-1970
HUBERT BURNS
1915-1975

OF COUNSEL:
FRANK J. MARTIN
JULIUS S. SWANN, SR.

July 18, 1984

Mr. Dan Spitler
108 Chandalar Drive
Pelham, AL 35124

Re: Andre David Gordon Estate

Dear Dan:

Confirming our telephone conversation of this date, I am enclosing a copy of the Will and Letters Testamentary which I certify to be true and correct copies of the original Will filed for probate and true and correct copy of Letters Testamentary.

Yours very truly,

INZER, SUTTLE, SWANN & STIVENDER, P.A.

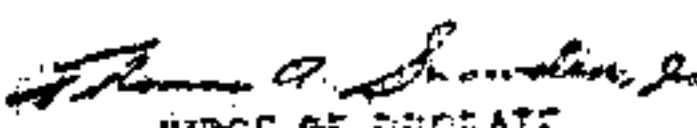

James C. Stivender

JCS/clc

Enclosure

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

1984 AUG -1 AM 10:16


JUDGE OF PROBATE

Rec-1750
Ind-100
1850

EXHIBIT C

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