

668
Last Will and Testament

OF

HERBERT C. BUTLER

I, HERBERT C. BUTLER, of Mobile County, Alabama, being over the age of twenty-one (21) years, and of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, and hereby expressly revoke, cancel and annul any and all previous wills and testamentary dispositions that I may have heretofore made.

FIRST

I desire that all of my just debts, funeral expenses, improvement assessments, taxes, and the expenses of my last illness be paid as soon after my death as may be convenient.

SECOND

I give, devise and bequeath my silver coffee urn engraved to "August P. Parker from Creole Fire Station Number One" dated 1901 to the City of Mobile to be placed in its Phoenix Fire Museum in memory of Augustine Francisco Parker.

THIRD

I give, devise and bequeath the sum of Five Hundred and No/100ths (\$500.00) Dollars to the Society of St. Joseph of the Sacred Heart at 1130 North Calvert Street, Baltimore, Maryland.

FOURTH

I give, devise and bequeath all of the rest, residue and remainder of my estate, real, personal or mixed, whatsoever and wheresoever, of which I may die seized or possessed, or to which I may be entitled, or have the power to dispose of at the time of my death, unto my wife, ROSEMARY B. BUTLER, if she be living at the time of my death, to have and to hold, absolutely.

Philander L. Butler
P.O. Box - 697
Birmingham

17. 35203

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EX 01706 099

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FIFTH

Should my said wife, ROSEMARY B. BUTLER, not survive me, then and in that event, I give, devise and bequeath to my son, HERBERT G. BUTLER, all crystal and stemware except twenty (20) inch cut-glass crystal bud vase and crystal epergne piano centerpiece, all paintings, mahogany dining room suit, Minolta 35mm camera and lens, Bell & Howell movie projector, his bedroom suit, and the bedroom suit and all other furniture of my mother-in-law, Maybelle Braziel.

SIXTH

Should my said wife, ROSEMARY B. BUTLER, not survive me, then and in that event, I give, devise and bequeath to my daughter, BRENDA MARISA BUTLER, all sterling silver, including flatware, trays and tea service, all china dinnerware, twenty (20) inch cut-glass crystal bud vase and crystal epergne piano centerpiece, living room furniture consisting of sofa, three (3) chairs and four (4) tables, piano, black ranch mink fur coat and autumn haze mink stole, all 14 carat gold jewelry and all rings, that certain automobile currently in the possession of my daughter, BRENDA MARISA BUTLER, her bedroom suit and the bedroom suit belonging to my wife and I.

SEVENTH

Should my wife, ROSEMARY B. BUTLER, not survive me, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate, real, personal or mixed, whatsoever and wheresoever, of which I may die seized or possessed, or to which I may be entitled, or have the power to dispose of at the time of my death, unto my daughter, BRENDA MARISA BUTLER, and my son, HERBERT GARLAND BUTLER, equally, share and share alike.

EIGHTH

I hereby nominate, constitute and appoint my said wife, ROSEMARY B. BUTLER, as Executrix of this my Last Will and Testament.

BM 0170P 100

In the event my said wife, ROSEMARY B. BUTLER, should not survive me, or should decline to qualify, or be unable to qualify, or having qualified as Executrix should die, resign or become incapacitated, then I nominate, constitute and appoint my brother, P. L. BUTLER, as Executor of this my Last Will and Testament, with all the powers herein conferred. In the event that P. L. BUTLER should decline to qualify, or be unable to qualify, or having qualified as Executor should die, resign or become incapacitated, then I nominate, constitute and appoint my sister, DOROTHY BUTLER JONES, as second alternate Executrix of this my Last Will and Testament, with all the powers herein conferred. I direct that no bond shall be required of any of my Executors or Executrix hereunder. Any of them shall have full powers at their discretion to do any and all things necessary for complete administration of my estate, including the power to sell at public or private sale, and without order of the Court, any real or personal property belonging to my estate, and to compound, compromise or otherwise settle or adjust any and all claims, charges, debts and demands, whatsoever, against or in favor of my estate, as fully as I could do if living. All divisions or distributions shall be made in cash or in kind, or partly in cash or partly in kind, as either my Executors or Executrix shall deem advisable.

I hereby relieve both my Executors and my Executrix from any duty to file in Court any inventory of my estate.

IN WITNESS WHEREOF, I, HERBERT C. BUTLER, have hereunto set my hand and seal this 6 day of February, 1980.


HERBERT C. BUTLER (SEAL)

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EX 0170C 101

We, T. O. Hawley, Colonial Heights,
and Paul B. Powell, whose names are hereinbelow
signed as attesting witnesses, hereby certify that HERBERT C. BUTLER
in the presence of each of us, declared the foregoing instrument to
be his Last Will and Testament, and signed the same as such and that
each of us, at his request, in his presence, and in the presence of
each other, signed our names thereto as attesting witnesses.

We further certify that at the time of the execution of
said instrument, the said HERBERT C. BUTLER was over the age of
twenty-one (21) years, and in our opinion, of sound and disposing
mind and memory.

T. O. Hawley ADDRESS Mobile, Ala.
Colonial Heights ADDRESS Mobile, Ala.
Paul B. Powell ADDRESS Mobile, Ala.

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

1985 DEC 10 PM 1:18

Thomas A. Snowdon, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>10.00</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>11.00</u>