

1096

THE STATE OF ALABAMA

TALLADEGA, COUNTY

PROBATE COURT

716/87

BOOK 168 - 162

Petition of Justine Johns for the Probate of the Will of
Mattie Landers deceased.

To the Hon. Derrell R. Hann Judge Probate Court of said County:

The petition of the undersigned Justine Johns respectfully represents
 unto Your Honor that Mattie Landers who was at the time
 of her death an inhabitant of this County, departed this life at Birmingham, Alabama,
 on or about the 22nd day of December 19 86 leaving assets in this State, and
 leaving a Last Will and Testament duly signed and published by Mattie Landers and attested by
Linda Griffith and C. W. McKay, Jr.,

That your petitioner as she verily believes is named in said Will as Executrix
 and does now herewith surrender said Will to the
 Court and pray that after proper proceedings and proofs, it may be probated and admitted to record as the true
 Last Will and Testament of said deceased. Your petitioner further represents that John R. Landers
 is the widower ~~XXXXXXXXXX~~ of said deceased, and that the
 names, ages, residence and condition of the next of kin are as follows, to-wit: Eugene Burt Landers, a
son who resides at Rt. 1, Box 299, Sylacauga, AL 35150; Justine Johns,
Petitioner, a daughter who resides at Rt. 1, Box 2245, Childersburg, Al-
abama, 35044; Jimmie Landers, a son who resides at Rt. 1, Box 76, Harpers
ville, AL; Candi Robertson, a granddaughter who resides at P. O. Box 286,
Wilsonville, Alabama, 35186; each of said next of kin and the widower
being over 19 years of age and of sound mind.

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 Your petitioner would further represent that each of
 the said attesting witnesses resides in Talladega County, Alabama.

Your petitioner therefore further prays that Your Honor will take jurisdiction of this
 petition and cause all such notices or citations to issue to the said next of kin and to said witnesses, and cause
 all such proceedings to be had and done and render all necessary orders and decrees in the premises as will duly
 and legally affect the probate and record of said Will in this Court.

x Justine Johns

THE STATE OF ALABAMA

TALLADEGA, COUNTY

Justine Johns being duly sworn,

deposes and says that the facts alleged in the above petition are true, according to the best of her
 knowledge, information and belief.

Subscribed and sworn to before me, this

5th day of January 19 87

Notary Public

Filed in Office

Judge of Probate

Judge of Probate

Last Will and Testament

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MATTIE LANDERS

716/87

I, Mattie Landers, a resident citizen of Talladega County, Alabama, being over the age of twenty-one (21) years, being of sound mind and disposing memory, hereby make and publish this, my Last Will and Testament, and I hereby expressly revoke any and all former Wills, Codicils or other testamentary dispositions that may have heretofore been made by me.

ITEM I. It is my will that my personal representative shall pay all legally enforceable obligations of my estate, including, but not limited to, all expenses of my last illness and burial and the expenses of administering my estate, as early after my death as is practicable.

ITEM II. I grant unto my husband, John Landers, any personal automobile owned by me at the time of my death and the sum of One Thousand and no/100 Dollars (\$1,000.00).

ITEM III. I own about thirty (30) acres of land in Shelby County, Alabama, which is bisected by a public road with a small part of the acreage with a dwelling house located thereon located on one side of the road and the balance of the land located on the other side of the road. With respect to said lands;

(a) I direct that my personal representative shall sell the dwelling house and that part of the land on which it is located (but no lands across the road from it) and the net proceeds from such sale shall be divided between Justine Johns and Jimmie Landers, provided, however, should either of them be then deceased the share of such of them as is deceased shall be distributed to the heirs of the blood of the deceased person;

(b) Jimmie Landers owns about ten (10) acres of land in Shelby County that joins said thirty (30) acre tract, unto Jimmie Landers I grant ten (10) acres that join the lands now owned by him,

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my personal representative is to determine the correct legal description of such ten (10) acres and make unto Jimmie Landers a deed of conveyance of the same, I also grant unto Jimmie Landers the sum of One Thousand and no/100 Dollars (\$1,000.00);

(c) The balance of said thirty (30) acre tract, being approximately nineteen (19) acres, I grant unto Justine Johns, and direct that my personal representative shall determine the correct legal description of the same, the description to include sufficient road frontage, as a minimum, for access, and make unto Justine Johns a deed of conveyance of the same. I also grant unto Justine Johns the sum of One Thousand and no/100 Dollars (\$1,000.00).

ITEM IV. Unto Eugene Burt Landers I grant my dwelling house and the lands on which it is situated, being about 3.25 acres, the same being situated in Talladega County, Alabama, I also grant unto Eugene Burt Landers the sum of One Thousand and no/100 Dollars (\$1,000.00).

ITEM V. The rest and residue of my estate, real property, personal property or mixed property, wherever situate, I grant unto Eugene Burt Landers, Justine Johns, and Jimmie Landers, and direct that they shall receive the same in fee simple, share and share alike, distribution per stirpes.

ITEM VI. I hereby nominate and appoint Justine Johns as Executrix of this Will.

ITEM VII. I direct that my personal representative shall not be required to give or post any bond to or with any court, shall not be required to file any inventory or appraisal to or with any court and shall not be required to file any accounting, either partial or final, with any court. I further direct that my said personal representative shall not be required to obtain any order or decree from any court, other than the probate of this Will. I further authorize and empower my said personal representative to sell all or any part of the assets of my estate, either real or personal property,

at any sale or sales as such personal representative shall deem best, either public or private sale or sales, with or without advertisement. In the making of any such sale or sales my said personal representative shall not be required to obtain any order or decree of authorization or confirmation from any court.

IN TESTIMONY WHEREOF, I, the said Mattie Landers, have to this, my Last Will and Testament, subscribed my hand and affixed my seal on this, the 8th day of JULY, 1985.

Mattie Landers (SEAL)
MATTIE LANDERS

We, the undersigned, hereby certify that the foregoing instrument was signed, sealed, and declared by the said Mattie Landers as her Last Will and Testament in the presence of us, who, at her request and in her presence and in the presence of each other, have subscribed our names as witnesses thereto.

Rinda Giffith
Quinn Kay

Filed in Office of Judge of Probate, Tallapoosa County, Alabama
This 5 day of Jan 86 Dorrell R. Ham
Judge of Probate

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THE STATE OF ALABAMA
TALLADEGA COUNTY

COURT OF PROBATE

VOL 168 . 175

The will of Mattie Landers, deceased,

having been duly admitted to record in said County, letters testamentary are hereby granted to

Justine Johns

, the executrix named in said will, who has complied with the requisitions of the law, and is authorized to take upon herself the execution of said will.

Witness my hand, and dated this 28th day of January, 1987.

Filed in Office of Judge of Probate, Talladega County, Alabama

This 28 day of Jan., 1987, Derrell R. Hann
Judge of Probate

Derrell R. Hann
Judge of Probate

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STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

88 SEP 15 PM 1:30

Thomas A. Swindley, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 12.50

Index Fee 1.00

TOTAL \$ 13.50