

IN THE MATTER OF THE ESTATE OF

WILMA CLEONA BERRY

Deceased.

PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

Cate No. 117539

PETITION FOR PROBATE OF WILL

JUD 925 PAGE 850

TO THE HONORABLE O. H. FLORENCE, JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA

Come your petitioner, Leon M. Berry, and upon information and belief, respectfully show unto your Honor the following facts:

1. Wilma Cleona Berry died at Birmingham, Alabama on or about the 26th day of February, 1985, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is said decedent's last will and testament naming petitioner as Executor thereof, which was duly signed by said decedent when over twenty-one years of age, and was attested by the following witnesses: namely,

Name	Present Address
Estelle Gray	Adamsville, Ala.
E. E. Gray	deceased

3. The following is a true, correct, and complete list of the names, ages, conditions, relationships, and addresses of said decedent's widow, and next-of-kin; namely,

Name, age, condition, relationship	Address
Lawrence Leon Berry, over 19, competent, son,	2101 Pratt Highway, Birmingham, Ala.
Kenneth Allen Berry, over 19, competent, son,	1636 Shady Lane, Birmingham, Ala.
Fred McDonald Berry, over 19, competent, son,	914 Tower Drive, Birmingham, Ala.
Leon M. Berry, over 19, competent, son,	2101 Pratt Highway

Wherefore, your petitioner pray S that your Honor will take jurisdiction of this petition; will cause all such notices or citations to issue to the said widow, next-of-kin, and attesting witnesses as may be proper in the premises; and will cause such proceedings to be had and done, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said will as the last will and testament of said deceased.

Attorney for petitioner:

Robert S. Glasgow, Jr.

(name)

Adamsville, Ala.

(address)

Leon M. Berry
2101 Pratt Highway
Birmingham, Ala. 35214
Address:

Petitioner

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, Robert S. Glasgow, Jr., a notary public in and for said county in

said state, personally appeared Leon M. Berry, who, being first duly sworn, makes oath that he has read the foregoing petition and know the contents thereof, and that he is informed and believes S, and, upon such information and belief, aver S that the facts alleged therein are

(true and correct)
Subscribed and sworn to before me this 10th day of Sept., 1985

Notary Public

Leon M. Berry
Affiant-Petitioner

Filed in the office of the Judge of Probate of Jefferson County, Alabama this 16 day of September, 1985 prayer granted and ordered recorded. O. H. Florence
Judge of Probate

PETITION FOR PROBATE OF WILL

RETURN

Wade H. Morton, Jr.

B'HAM BAR ASS'N. FORM NO. 150
Revised May, 1978

BOOK 234 PAGE 802

VERIFICATION

SEARCH NOTE

STATE OF ALABAMA)
JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS That I, Wilma Cleona Berry, being of a sound and disposing mind and memory and over the age of twenty one years, do hereby make, publish, and declare this my last will and testament, hereby revoking all wills, testaments, and codicils heretofore made by me, viz:

FIRST: I direct that all my just debts and the expenses of my last illness and funeral be paid as soon after my death as may be conveniently possible.

SECOND: All the property of which I may die seized or to which I may be entitled at the time of my death, real, personal, and mixed, of whatever nature and wherever situated, I give, devise, and bequeath unto my beloved husband, Leon M. Berry, to be his own absolutely.

THIRD: Should my said husband predecease me or should our deaths occur simultaneously, then in either of such events I give, devise, and bequeath all my said property, of every nature and wherever situated, unto my beloved children, Lawrence Leon Berry, Kenneth Allen Berry, and Fred McDonald Berry, to be divided between them share and share alike.

FOURTH: I nominate and appoint my beloved husband, Leon M. Berry, to be executor of this, my last will and testament, and I direct that he not be required to post bond, to file an inventory, or to make any accounting to or settlement with any court as such executor. Should my said husband predecease me or should our deaths occur simultaneously, then in either of such events I nominate and appoint my son, Lawrence Leon Berry, to be executor in his place and stead, and under the same terms and conditions as hereinabove set out.

IN WITNESS WHEREOF I have this 24th day of June, 1963, made, published, and declared this to be my last will and testament and subscribed my name hereto in the presence of Estelle Gray and E. E. Gray, and they, at my request and in my presence and the presence of each other, have hereunto subscribed their names as witnesses hereof.

Wilma Cleona Berry

We, Estelle Gray and E. E. Gray, hereby certify that Wilma Cleona Berry, whose name is subscribed to the foregoing instrument, and who is known to us, did make, publish, and declare the foregoing to be her last will and testament and subscribed her name thereto in our presence this 24th day of June, 1963, and we, at her request and in her presence and the presence of each other, have hereunto subscribed our names as witnesses thereof.

Estelle Gray

E E Gray

RETURN TO: Wade H. Morton, Jr.

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IN THE MATTER OF THE ESTATE OF

WILMA CLEONA BERRY

Deceased

IN THE PROBATE COURT OF
JEFFERSON COUNTY,
ALABAMA

SEPTEMBER 1985
TERM

CASE NO. 117539

LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:

That the will of the above-named deceased having been duly admitted to record in said County, Letters Testamentary are hereby granted to Leon M. Berry

Execut or named in said will, who ha s complied with the requisitions of law and who is authorized to take upon himself the execution of such will.

Witness my hand this date, September 16, 1985

(SEAL)

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

89 APR 17 PM 1:28

Thomas A. Shumaker, Jr.
JUDGE OF PROBATE

O. H. Florence

Judge of Probate

RECORDING FEES

Recording Fee \$ 7.50

Index Fee 2.00

TOTAL 9.50

I, Peggy A. Proctor, Chief Clerk of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the Letters Testamentary issued in the above-styled cause as appears of record in said Court. I further certify that said Letters are still in full force and effect.

Witness my hand and seal of said Court this date, September 16, 1985

Peggy A. Proctor
Chief Clerk