

IN THE MATTER OF THE ESTATE OF

) PROBATE COURT OF SHELBY COUNTY, ALABAMA

LOUISE DETAMORE HENDERSON,

Case No. _____

Deceased.)

PETITION FOR PROBATE UPON CERTIFIED COPIES

TO THE HONORABLE THOMAS SNOWDEN, JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA

Come your petitioner, Nina Miglionico, Attorney for Carol Sue Henderson, ^{Executrix} and respectfully shows unto your Honor the following facts:

1. Louise Detamore Henderson died in Jefferson County, State of N/A, on or about December 5, 1989, and at the time of said death was not an inhabitant of the State of Alabama, but was an inhabitant of Jefferson County, State of N/A.

2. The said decedent left assets in Jefferson County, Alabama, and left a last will and testament which has been duly proved and admitted to probate and record in the Probate Court of Jefferson County, AL. Submitted herewith is a copy of said will and a copy of the order admitting the same to probate, which are duly certified and authenticated as provided in section 905 of the Revised Statutes of the United States of America (Title 28, Section 687 of the United States Code Annotated).

Wherefore, your petitioner pray that your Honor take jurisdiction of this petition, 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 effect the probate and record of said will in this Court.

Attorney for petitioner:

Nina Miglionico
MIGLIONICO & RUMORE
1230 Brown Marx Tower,
Birmingham, Alabama 35203

(address)

Nina Miglionico
NINA MIGLIONICO, Attorney

Petitioner

Address: 1230 Brown Marx Tower,
Birmingham, Alabama 35203-4110

VERIFICATION

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, Kathleen Wester, a notary public in and for said county in said state, personally appeared Nina Miglionico, who, being first duly sworn, make oath that she has read the foregoing petition and knows the contents thereof, and that the facts alleged therein are true of her own knowledge.

Subscribed and sworn to before me this
22nd day of February 1990

Kathleen Wester
Notary Public

Nina Miglionico
NINA MIGLIONICO

Affiant-Petitioner

BENCH NOTE

Filed in the office of the Judge of Probate of Jefferson County, Alabama, prayer granted, and petition ordered recorded this the _____ day of _____

Judge of Probate

IN THE MATTER OF THE ESTATE OF

LOUISE DETAMORE HENDERSON

Deceased.

PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

Case No.

131980

PETITION FOR PROBATE OF WILL

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

Come 2 your petitioner, Carol Sue Henderson, and upon information and belief, respectfully show unto your Honor the following facts:

1. Louise Detamore Henderson died at Birmingham, Alabama on or about the 5th day of December 1989, 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 Executrix thereof, which was duly signed by said decedent when over twenty-one years of age, and was attested by the following witnesses: namely,

<u>Name</u>	<u>Present Address</u>
Nina Miglionico	- 1230 Brown Marx Tower, Birmingham, Alabama 35203
Bertha M. Helton (deceased)	
Charline Bailey	- #16 Oakridge Drive, Odenville, Alabama 35120

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,

<u>Name, age, condition, relationship</u>	<u>Address</u>
Carol Sue Henderson, over 19, sound mind, daughter,	332 B Mathews Avenue NE. Atlanta, Ga. 30307

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Wherefore, your petitioner prays 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:

Nina Miglionico
MIGLIONICO (name) & RUMORE
1230 Brown Marx Tower,
Birmingham, Alabama 35203-4110
(address)

Carol Sue Henderson
Petitioner

Address: 332 B Mathews Avenue N.E.
Atlanta, Georgia 30307

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority, a notary public in and for said county in said state, personally appeared Carol Sue Henderson, who, being first duly sworn, make oath that she has read the foregoing petition and knows the contents thereof, and that she is informed and believe 2, and, upon such information and belief, aver 2 that the facts alleged therein are (is-are) true and correct.

Subscribed and sworn to before me this 11 day of December 1989.

Kathleen Kister
Notary Public

Carol Sue Henderson
Affiant-Petitioner

Filed in the office of the Judge of Probate of Jefferson County, Alabama this 11 day of December 1989, and set hearing this 11 day of January 1990 at 10:00 AM in the office of the Judge of Probate.

PROOF OF WILL (ONE WITNESS)

IN THE MATTER OF THE ESTATE OF

LOUISE DETAMORE HENDERSON

Deceased

IN THE PROBATE COURT
OF JEFFERSON COUNTY, ALABAMA

DECEMBER 1989 TERM

CASE NO. 131980

Before me, the undersigned, Judge of said Court, personally appeared in open Court _____

Nina Miglionico

who having been by me first duly sworn, deposeth and says that _____^s he is a subscribing witness to the instrument of writing now shown to her and which purports to be the last Will and Testament of Louise Detamore Henderson, deceased,

late and inhabitant of this County, that said deceased, signed and executed said instrument on the day that same bears date, and declared the same to be her last Will and Testament, and that affiant set her signature thereto, on the day the same bears date, as a subscribing witness to the same in the presence and at the request of said deceased and in the presence of the other subscribing witness, and that such other witness subscribed their names as witness ^{es} in the presence and at the request of said deceased. That said deceased was of sound mind and disposing memory, and in the opinion of deponent fully capable of making said Will, at the time the same was so made as aforesaid. Affiant further states that said deceased was on the day of the said date of said Will, of the full age of Nineteen years and upwards.

Nina Miglionico

December 11, 1989

Subscribed and sworn to before me on this date _____

George R. Synn

Judge of Probate.

Last Will and Testament

131980

OF

LOUISE DETAMORE HENDERSON

STATE OF ALABAMA:
JEFFERSON COUNTY:

I, LOUISE DETAMORE HENDERSON, of the City of Birmingham, Jefferson County, State of Alabama, and over the age of twenty-one years, being of sound mind and disposing memory, do hereby make, publish and declare this to be my LAST WILL AND TESTAMENT, hereby expressly revoking all former wills and codicils by me at any time heretofore made.

ITEM ONE

I direct that all my just debts and funeral expenses be paid by my executrix with all convenient speed.

ITEM TWO

I hereby will, devise, and bequeath my entire estate, both personal, real and mixed, of which I may die seized or possessed, or to which I may be entitled at the time of my death, wheresoever situated, to my daughter, Carol Sue Henderson, and to her heirs, in fee simple forever.

ITEM THREE

I hereby nominate, constitute, and appoint my daughter, Carol Sue Henderson, as executrix of this will and I expressly direct that she shall not be required to make any bond for the proper discharge of her duties hereunder, and I direct that she shall not be required to file any inventory of my estate, nor shall she be required to make any report to any court of her actions in said capacity.

ITEM FOUR

I authorize and empower the executrix named and at any time acting hereunder, whenever in the settlement of my estate, she deems it advisable to sell at public or private sale the whole or any part of my estate, real or personal, and to execute good and sufficient deeds or other instruments of transfer. And I hereby expressly direct that no purchaser at any such sale shall be bound to see to the application of the purchase money.

IN TESTIMONY WHEREOF, I have on this the 9th day of February 1973, in the City of Birmingham, State of Alabama, signed, sealed, published and declared the foregoing instrument as and for my Last Will and Testament, in the presence of each and all the subscribing witnesses, each of whom I have requested in the presence of each other, to subscribe his name, with his address, as an attesting witness, in my presence and in the presence of the others.

Louise Detamore Henderson (SEAL)
Testatrix

Office No. 1128

Deemger

State and Record

Diery A. Reynolds

Judge of Probate

On this the 9th day of February, 1973, the above-mentioned testatrix, Louise Detamore Henderson, signed, published and declared the foregoing instrument as and for her Last Will and Testament, in our presence, who, in her presence, at her request, and in the presence of each other, all being present at the same time, and the testatrix signing first, have hereunto set our names as attesting witnesses.

Witnesses

Addresses

Nina Miglionico

931 Essey Road So.
Birmingham, Alabama

Bertha M. Helton

533 22d Ave. So.
Birmingham, Alabama

Charlie Bailey

517 Marshall Ave.
Birmingham, Alabama

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JR 2081 PG 19

JR 2083 PG 42

BOOK 280 PAGE 282

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama
JEFFERSON COUNTY

George R. Reynolds
I, ~~CLARK P. HENSON~~, Judge of the Court of Probate, in and for said State and

County, do hereby certify that the foregoing instrument — of writing ha S 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 Louise Detamore Henderson, Deceased and that said Will

together with the proof thereof have been recorded in my office in Judicial Record, Volume 2083 541-542
2086, Page 917-920.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date December 11, 1989

PROBATE-98

George R. Reynolds, Judge of Probate.

IN THE MATTER OF:

THE ESTATE OF:

LOUISE DETAMORE HENDERSON,
DECEASED

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

DECEMBER TERM 1989

CASE NO. 131980

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

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This day came Carol Sue Henderson and filed her petition in writing, under oath, therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of Louise Detamore Henderson, deceased, said Will bearing date the 9th day of February, 1973, and attested by Nina Miglionico, Bertha M. Helton and Charline Bailey; and praying that the same be probated as provided by law; that said Carol Sue Henderson, the daughter of said deceased, resides in Atlanta, Georgia, is over nineteen years of age and of sound mind; is the only next of kin of said deceased, and is named in said Will as executrix thereof.

Now, on motion of said petitioner the Court proceeds to hear said petition; and, after due proof and hearing had according to the laws of this state, the Court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that such instrument should be probated as the Last Will and Testament of said deceased. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of Louise Detamore Henderson, deceased, and ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further ordered that petitioner pay the costs of this proceeding.

DONE this date, December 11, 1989.

George P. Reynolds
Judge of Probate

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY,
ALABAMA

LOUISE DETAMORE HENDERSON

CASE NO. 131980

Deceased

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 Carol Sue Henderson

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

Witness my hand this date, December 11, 1989

George B. Reynolds
Judge of Probate

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, _____

Chief Clerk

CERTIFICATE TO COPIES

PROBATE-67

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT

I, PEGGY A. PROCTOR, Chief Clerk of the Court of Probate,

In and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the
Petition for Probate of Will of Louise Detamore Henderson, Deceased,

Proof of Will, Last Will and Testament together with the Certificate

to the Probate thereof, Order on Filing and Probating Last Will and

Testament and Letters Testamentary granted and issued to Carol Sue Henderson

as Executrix of said estate

in the matter of Estate of Louise Detamore Henderson, Deceased

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

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
90 FEB 26 PM 4:12

Given under my hand and seal of said Court, this

the 20th day of Feb., 19 90

Peggy A. Proctor

Chief Clerk

JUDGE OF PROBATE

Recy 22.50
Ind 3.00
Cert. 1.00
26.50

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