

JEFFERSON COUNTY)

1532

KNOW ALL MEN BY THESE PRESENTS: That I, CAROLYN WHEELER SMITH, a resident and citizen of Homewood, Jefferson County, Alabama being of sound mind and disposing memory, do hereby make, declare and publish this my last will and testament, hereby revoking any and all former wills made by me.

ITEM ONE: I desire and I hereby direct that all my just debts, including my funeral expenses and the expenses of my last illness, be paid by my executor hereinafter named, as soon as convenient after my death.

ITEM TWO: I hereby give, devise, and bequeath unto my husband, Leslie Harrison Smith, Sr., all of my worldly estate, including real, personal and mixed property of every kind and character, wherever situated or located, seized and possessed by me, or to which I may be entitled at the time of my death, to be held and owned by him absolutely.

ITEM THREE: In the event of said husband shall predecease me, then I do hereby give, devise and bequeath my entire estate unto my two sons, namely, Willard Wheeler Smith and Leslie H. Smith, Jr., share and share alike, and should either of said sons predecease me, survived by bodily issue, then I do hereby direct that the share which said deceased son or sons would have been entitled to had he or they survived me, shall pass to and vest in the bodily issue of said deceased son or sons in equal shares per stirpes.

ITEM FOUR: I hereby constitute and appoint my husband, Leslie Harrison Smith, Sr., as executor of this my last will and testament, and I hereby direct that said executor shall not be required to make any bond for the performance of his duties hereunder, or file

Carolyn Wheeler Smith

Smith, Hynds

BOOK 306 PAGE 186

any inventory of my estate in any court, or render any accounting or final settlement of his said acts hereunder.

ITEM FIVE: In the event my said husband shall predecease me, then I do hereby name, constitute and appoint, providing they have each attained legal age, my two sons, heretofore named, as co-executors, and do hereby relieve said executors from filing of any inventory of my estate in any court or render any accounting or final settlement of said acts hereunder. If my death should occur before my younger son, Willard Wheeler Smith, attains legal age, then I appoint Leslie H. Smith, Jr. as executor, knowing full well that he will be just in all things, and do hereby relieve said executor from any accounting or final settlement in any court.

ITEM SIX: In any distribution of my estate, made in accordance with the terms hereof, my executor or executors may pay over the bequest or the share to be distributed either in cash or in property, or partly in cash and partly in property, and at such valuation as shall to said executors seem proper and the determination of the executors of the value of any property for the purpose of distributing any bequest or share hereunder, shall be conclusive and binding upon all persons interested in such distribution.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Homewood, Alabama, on this the 27th of August 1965, in the presence of the subscribing witnesses hereinafter named, and they at my request and in my presence and in the presence of each other, have hereunto set their signatures as attesting witnesses.

Carolyn Wheeler Smith

The foregoing instrument was signed, sealed, published and declared by Carolyn Wheeler Smith, to be her last will and testament in our presence, and we, at her request and in her presence, and in the presence of each other, have hereunto set our signatures as attesting witnesses on the day said instrument bears date.

Thos. H. Gregory
Wm. M. Emerson

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

90 AUG 21 AM 9:29

John H. Wheeler
JUDGE OF PROBATE

7.50
3.00
1.00

11.50

BOOK 306 PAGE 188

Carolyn Wheeler Smith