

I, PEARL A. TOWNSEL, domiciled and resident in the state of Alabama, now a civilian employee of the United States, and temporarily residing in Hanau, Federal Republic of Germany declare that this is my LAST WILL AND TESTAMENT and revoke all other wills and codicils made by me.

133061

FIRST:

I declare I am single. I have no children. I have had one prior marriage to JOSIAH TOWNSEL which was ended by divorce in 1964 in Union Springs, Alabama. By "descendants" I mean the lawful, lineal descendants of the person referred to who are in being at the time they must be ascertained in order to give effect to any reference to them. Persons who take as descendants shall take by right of representation, in accordance with per stirpes, rather than per capita distribution. The terms "child," "issue," "descendants," and words of like import include adopted persons.

SECOND:

I direct that the expenses of my last illness, funeral and burial, including a suitable grave site, marker, and perpetual care, if deemed appropriate, be paid out of my estate, in such amount as my executor may deem proper and without regard to any limitation in the applicable local law as to the amount of such expenses.

THIRD:

I give, devise and bequeath all the rest, residue and remainder of my estate and property of which I may be seized or possessed or to which I may be entitled at the time of death, wherever situated or of whatever nature, be it real, personal or mixed, including lapsed legacies and any property over which I may have a power of appointment, in equal shares to LEDLA MICHAELA HUTCHINS and JOSIAH LAMAR TOWNSEL, if they shall survive me.

FOURTH:

If any part of this Will, or any trust hereby created, shall be invalid, illegal, or inoperative, for any reason, it is my intention that the remaining parts, so far as possible and reasonable, shall be effective and fully operative. My Executor or Executrix may seek and obtain court instructions for the purpose of carrying out as nearly as may be possible the intention of this Will as shown by the terms hereof, including the term held invalid, illegal or inoperative.

FIFTH:

Except as otherwise provided in this my LAST WILL AND TESTAMENT, I have intentionally omitted to provide herein for any other relatives or for any other person, whether claiming to be an heir of mine or not.

Josiah B. Cal
WITNESSES' INITIALS

Pearl A. Townsel
TESTATRIX

Spain, Gillon

449
1960
J. R. R. Reynolds
Judge of Probate

JR2104P6028

JR2105P687h

SIXTH:

I hereby appoint my stepson, JOSIAH LAMAR TOWNSEL, as Executor of this my LAST WILL AND TESTAMENT, and I direct that no bond or other security shall ever be required of him as such; and I further direct that no other actions shall be had in the county court or in any other court relative to the administration of my estate other than to prove and record this will and to return an inventory and appraisal and list of claims of my estate; in the event that he shall predecease me or shall for any reason refuse or be unable to serve or to continue serving as executor hereof, then I hereby appoint LEDLA MICHAELA HUTCHINS as executrix in his stead, to serve without bond or surety and with the same powers and said authority.

I hereby empower my said Executor or Executrix to do any and every act and thing which he or she in his or her full discretion shall deem advisable in reference to my estate, and without in any way limiting their powers I hereby specially empower him or her to sell any and all property belonging to my estate for such price and upon such terms as to him or her may seem proper; to make leases of every character including oil, gas and mineral leases upon all property belonging to my estate, to collect all moneys belonging to my estate; to vote all shares of stock standing in my name or belonging to me; and to compensate all claims in favor of or against my estate.

SEVENTH:

Wherever in this my LAST WILL AND TESTAMENT it is provided that any person shall benefit hereunder if such person shall survive me, that person shall be deemed not to have survived me if he or she shall die within thirty (30) days after my death.

IN WITNESS WHEREOF, I have at the Hanau Legal Center, Federal Republic of Germany, this 21st day of April 1989, set my hand and seal to this my LAST WILL AND TESTAMENT consisting of two (2) typewritten pages, this included.

Pearl A. Townsel
PEARL A. TOWNSEL, Testatrix

The foregoing instrument, consisting of two (2) typewritten pages, this included, was at the Hanau Legal Center, on this 21st day of April, 1989, signed, sealed, published and declared by the named Testatrix to be her LAST WILL AND TESTAMENT in the presence of all of us at one time, and at the same time we, at her request and in the mutual presence of each other, have hereunto subscribed our names as attesting witnesses, and we do verily believe that the said Testatrix is of sound and disposing mind and memory at the date hereof.

NAME

PERMANENT ADDRESS

Gloria D. Scott-Amos

Jacksonville, Florida

Daniel L. Puente

Sacramento, California

Cheryl A. Long

Detroit, Michigan

WITNESSES:

Gloria D. Scott-Amos
Daniel L. Puente
Cheryl A. Long

Pearl A. Townsel
PEARL A. TOWNSEL, TESTATRIX

BOOK 313 PAGE 982

JR 2104 PG 029

JR 2105 PG 877

WITH THE UNITED STATES ARMED FORCES IN EUROPE)
AT HANAU, FEDERAL REPUBLIC OF GERMANY)

We, PEARL A. TOWNSEL, Gloria D. Scott-Amos,
Daniel L. Puente, and Cheryl A. Long, the
testatrix and the witnesses respectively, whose names are signed to
the attached or foregoing instrument, having been sworn, declared to
the undersigned officer that the testatrix in the presence of
witnesses signed the instrument as her last will, that she signed and
that each of the witnesses, in the presence of the testatrix and in
the presence of each other, signed the will as a witness.

Pearl A. Townsel
PEARL A. TOWNSEL, Testatrix
Gloria D. Scott-Amos
Witness
Daniel L. Puente
Witness
Cheryl A. Long
Witness

Subscribed, sworn and acknowledged before me by PEARL A.
TOWNSEL, the testatrix, subscribed and sworn before me by
Gloria D. Scott-Amos, Daniel L. Puente, and
Cheryl A. Long, witnesses, this 21st day of
April, 1989.

(SIGNED)

Dale F. Park
DALE F. PARK
Captain, Judge Advocate General's
Corps Chief, Legal Assistance
Officer of the United States on
active duty in Federal Service
with general powers of a Notary
Public under the provisions of the
Act of 10 August 1956 (10 U.S.C.,
Sec. 936; Article 136, U.C.M.J.).

BOOK 313 PAGE 983

(SEAL)

JR2104P6030

JR2105P6878

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama

JEFFERSON COUNTY

I, George R. Reynolds, 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 Pearl A. Townsel Deceased and that said Will 2105 876-879together with the proof thereof have been recorded in my office in Judicial Record, Volume 2104, Page 028 - 030In witness of all which I have hereto set my hand and the seal of the said Court, this date April 4, 1990.

PROBATE - 90

George R. Reynolds, Judge of Probate.

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
PEARL A. TOWNSEL,

DECEASED.

CASE NO. 133061PETITION FOR PROBATE OF WILLTO THE HONORABLE GEORGE R. REYNOLDS, JUDGE OF PROBATE OF JEFFERSON
COUNTY, ALABAMA:

Comes your Petitioner, JOSIAH LAMAR TOWNSEL, and upon information and belief, respectfully shows unto your Honor the following facts:

1. PEARL A. TOWNSEL died at Birmingham, Alabama, on or about the 1st day of February, 1990, and, at the time of such death, was a domiciliary of Jefferson County, Alabama, although she was a civilian employee of the United States, temporarily residing in Hanau, Federal Republic of Germany.

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 nineteen (19) years of age, and was attested by the following witnesses, namely:

<u>Name</u>	<u>Present Address</u>
GLORIA D. SCOTT-AMOS	Hanau Sportfield School APO New York 09165
DANIEL L. PUENTE	Hanau Sportfield School APO New York 09165
CHERYL A. LONG	Hanau Sportfield School APO New York 09165

Said Will was self-proved before DALE F. PARK, Captain, Judge Advocate General Corps Chief, Legal Assistance Officer of the United States on active duty in Federal Service with general powers of a Notary Public under the provisions of the Act of 10 August, 1956 (10 U.S.C., Sec. 936; Article 136, U.S.M.J.), pursuant to §43-8-132, Code of Alabama, 1975.

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

<u>Name, age, condition, relationship</u>	<u>Address</u>
LEOLA MICHAELA HUTCHINS, over 19, competent, sister	66 Isbella Street Apartment 2403 Toronto, Canada M4YIN3 Canada

Decedent was not survived by a spouse.

WHEREFORE, your Petitioner prays that your Honor will take jurisdiction of this petition, will cause all such notice or citations to issue to the said 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:
 J. Sanford Mullins, III
 SPAIN, GILLON, GROOMS, BLAN &
 NETTLES
 The Zinszer Building
 2117 2nd Avenue, North
 Birmingham, Alabama 35203

) Josiah Lamar Townsel
)
) JOSIAH LAMAR TOWNSEL,
) Petitioner
) 7508 Saybrook Lane
) Address
) Jonesboro, Georgia 32236

VERIFICATION

STATE OF ALABAMA)
 COUNTY OF JEFFERSON)

Before me, the undersigned authority, a notary public in and for said county in said state, personally appeared JOSIAH LAMAR TOWNSEL, who, being first duly sworn, makes oath that he has read the foregoing Petition and knows the contents thereof, and that he is informed and believes, and upon such information and belief, avers that the facts alleged therein are true and correct.

Subscribed and sworn to before me
 this 7th day of February, 1990)

) Josiah Lamar Townsel
) JOSIAH LAMAR TOWNSEL
) Affiant-Petitioner

) J. Sanford Mullins, III
)
) Notary Public

BENCH NOTE

Filed in the Office of the Judge of Probate of Jefferson County, Alabama, on this 4 day of April, 1990, and set for hearing this day of, 1990. George P. Reynolds
and Oxford Records.

George P. Reynolds
 Judge of Probate

IN THE MATTER OF THE ESTATE OF

PEARL A. TOWNSEL,

Deceased

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

APRIL TERM 1990

CASE NO. 133061

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Josiah Lamar Townsel and filed
a petition in writing, under oath, therewith producing and filing in this court an instrument of writing pur-
porting to be the last will and testament of Pearl A. Townsel
deceased, bearing date the 21st day of April, 19 89,
and attested by Gloria D. Scott-Amos, Daniel L. Puente and Cheryl A. Long;
and praying that the same be probated as provided by law; that petitioner

is Josiah Lamar Townsel ~~XXXXXXXXXXXX~~ and is
named in said will as execut OR thereof; and that the next of kin of said deceased ~~XXXXXXXXXXXX~~,
~~XXXX~~ Leola Michaela Hutchins, sister, Toronto, Canada,

who nineteen
~~XXXXXXXXXXXX~~ is over ~~XXXXXXXXXXXX~~ years of age, and of sound mind.

Leola Michaela Hutchins

And thereupon comes ~~XXXXXXXXXXXX~~ the above named next of kin expressly waiving all notice of the
petition to probate said will and consenting that the same be probated at once, and the court having as-
certained by sufficient evidence that the signature is affixed to said waiver is of notice and
acceptance is of service is the genuine signature is of said next of kin;
now, on motion of said petitioner is, 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 said Pearl A. Townsel,
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 is, pay the costs of this proceeding.

DONE this date, April 4, 1990

George P. Reynolds
Judge of Probate

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

PROBATE-48

IN THE MATTER OF THE ESTATE OF)

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

PEARL A. TOWNSEL,)

APRIL TERM 1990

Deceased)

CASE NO. 133061

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day come ^s Josiah Lamar Townsel and files in
this court h is petition in writing, under oath, praying that Letters Testamentary upon the
will of Pearl A. Townsel
deceased, be issued to h im.

It is therefore ordered and decreed by the court that Letters Testamentary upon said will
be granted to Josiah Lamar Townsel
and that said letters issue without bond or security being required, in accordance with the terms
of said will. It is further ordered that the petition filed in this behalf be recorded.

Done this date, April 4, 1990

George P. Reynolds
Judge of Probate.

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IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY,
ALABAMA

PEARL A. TOWNSEL

CASE NO. **133061**

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 Josiah Lamar Townsel

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, April 4, 1990

[Signature]

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
Last Will and Testament of Pearl A. Townsel, deceased, together with
the Certificate to the Probate thereof, Peition for Probate of Will,
Order on Filing and Probating Last and Testament, Order granting
Letters Testamentary and Letters Testamentary; I further certifiy
that said letters are still in full force and effect

in the matter of The Estate of: Pearl A. Townsel, deceased, ALA. SHELBY CO.

I CERTIFY THIS
INSTRUMENT WAS FILED

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

90 OCT 11 AM 10: 34

STATE OF ALA. SHELBY CO.
I CERTIFY THIS Given under my hand and seal of said Court, this
INSTRUMENT WAS FILED
the 1st day of September, 19 90

90 OCT 11 AM 10: 34

Peggy A. Proctor
Chief Clerk

JUDGE OF

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