

115
IN THE MATTER OF THE ESTATE
OF NATHANIEL CHASE MORGAN,
DECEASED.

IN THE PROBATE COURT OF
TUSCALOOSA COUNTY, ALABAMA
CASE NO. 90-280

PETITION TO PROBATE WILL

TO THE HONORABLE W. HARDY McCOLLUM, JUDGE OF PROBATE IN AND FOR
TUSCALOOSA COUNTY, ALABAMA:

AmSouth Bank, N.A., of Tuscaloosa, Alabama (formerly The First
National Bank of Tuscaloosa), respectfully represents and shows
unto Your Honor that:

1. Nathaniel Chase Morgan died in Tuscaloosa County,
Alabama, on or about October 27, 1990.

2. Nathaniel Chase Morgan was at the time of death a
resident of Tuscaloosa County, Alabama, and died leaving assets in
this State.

3. The Last Will and Testament of Nathaniel Chase Morgan
dated December 10, 1984 was duly signed, published, attested and
made self-proved by acknowledgment of the Testator and by
affidavits of J. Sydney Cook, III, Frances M. Hamner, and Shirley
McDaniel and acknowledged before Araina C. Champion, an officer
authorized to administer oaths under the laws of the State of
Alabama in accordance with § 43-8-132(a) of the Code of Alabama,
1975, as amended.

4. The names, ages, and conditions of the next of kin and
heirs at law of the said decedent are as follows:

Nathaniel Chase Morgan, Jr., a son, an adult of sound
mind
Daniel G. Morgan, a son, an adult of sound mind
Charles E. Morgan, a son, an adult of sound mind

5. The Will being surrendered to this Court names AmSouth
Bank, N.A., of Tuscaloosa, Alabama, Nathaniel Chase Morgan, Jr.,
Daniel G. Morgan, and Charles E. Morgan, as Co-Executors.

6. Nathaniel Chase Morgan, Jr. and Daniel G. Morgan desire
to renounce and relinquish their right to letters testamentary on
the estate of Nathaniel Chase Morgan, and will file their
renunciation with this Court simultaneously with the filing of this
petition.

FILED, 115 1990

PHELPS, OWENS, JENKINS, GIBSON & FOWLER
ATTORNEYS AT LAW

P. O. DRAWER 20

TUSCALOOSA, ALABAMA 35402 0848

W. Hardy McCollum
Judge of Probate
TUSCALOOSA COUNTY, ALABAMA

7. AmSouth Bank, N.A., of Tuscaloosa, Alabama, and Charles E. Morgan are in no respect disqualified under the law from serving as Co-Executors.

8. AmSouth Bank, N.A., of Tuscaloosa, Alabama, and Charles E. Morgan are willing to assume the responsibilities as Co-Executors under the terms of the Last Will and Testament.

9. The Co-Executors named in the Will are expressly exempt from giving any bond or security for the faithful performance of their duties as personal representative, or from the requirement to make any inventory or report to any court in these proceedings.

10. The property of the estate should be collected and preserved for those who shall appear to have the legal right or interest in such property.

WHEREFORE, your petitioner prays that Your Honor will:

A. Appoint a day for the hearing of this petition.

B. Require notice of the date set for the hearing be given or waived as required by law.

C. Grant to AmSouth Bank, N.A., of Tuscaloosa, Alabama (formerly The First National Bank of Tuscaloosa), and Charles E. Morgan letters testamentary on the estate of Nathaniel Chase Morgan without the requirement to post a bond, all in accordance with the Last Will and Testament of Nathaniel Chase Morgan.

D. Order such other, further, and different relief to which in equity and good conscience the petitioner may be entitled and which this Honorable Court may deem just and proper.

AMSOUTH BANK, N.A., of
Tuscaloosa, Alabama (formerly
The First National Bank of
Tuscaloosa)

By: Ralph B. Quarles
As Its Vice President & Sr. Trust
Officer

PHELPS, OWENS, JENKINS,
GIBSON & FOWLER
P. O. Box 020848
Tuscaloosa, Alabama 35402-0848

By: Farley A. Poellnitz
Farley A. Poellnitz;
Attorney for Petitioner

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

The undersigned, being duly sworn, deposes and says that the allegations contained in the foregoing Petition are true and correct as therein stated.

AmSOUTH BANK, N.A., of
Tuscaloosa, Alabama (formerly
The First National Bank of
Tuskaloosa)

By: Kaplan B. Quarles
As Its Vice President & Trust Officer

SUBSCRIBED AND SWORN TO before me on this the 2nd day of
November, 1990.

Lillian J. J. J.
Notary Public in and for the
State of Alabama at Large

My Commission Expires: _____

PROB/MORGAN.PET

BOOK 322 PAGE 796

1. Deed Tax	\$	_____
2. Mtg. Tax	\$	_____
3. Recording Fee	\$	3.50
4. Indexing Fee	\$	3.00
5. Notary Fee	\$	1.00
6. Certified Fee	\$	_____
Total	\$	11.50

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
90 DEC 19 AM 9:58

William H. McCallum
JUDGE OF PROBATE

I, W. Hardy McCallum, Judge of Probate
hereby certify that the foregoing is a true
copy of decree in above cause as signed
by me and filed for record on this day of

NOV 28 1990