

Last Will and Testament

OF

135421

MARTHA JANE BOX

I, MARTHA JANE BOX, also sometimes known as MARTHA C. BOX, MARTHA CUNNINGHAM BOX, or MARTHA JANE CUNNINGHAM BOX, do hereby MAKE, PUBLISH and DECLARE this to be my Last Will and Testament, hereby revoking all former Wills and Codicils by me at any time heretofore made.

I

I direct that all my just and legal debts and funeral expenses be paid as soon as practical after my death.

II

I hereby GIVE, DEVISE and BEQUEATH to my daughter, BARBARA LEE KINDBERG:

(a) All of the undivided interest which I own in property designated as Lots numbers 36, 37, 38, and 39 on the plat of the W. E. Dill Estate prepared by S. C. Moon in April, 1940, and recorded in Plat Book J, Page 99 in the real property records of the County of Greenville, South Carolina, and located about two and one-half miles west of the City of Greer, South Carolina.

(b) An undivided one-half interest in the West Half of a five acre parcel of property in Teton County, Wyoming, which property is described as being the West Half of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 22, Township 42 North,

Witness my hand this the 11th
day of December, 1990
for Probate and Record.

George R. Reynolds
Judge of Probate

REAMS, VOLLMER, PHILIPS, KILLION, BROOKS & SCHELL, P.C.

LAWYERS AND PROCTORS

PILLANS BUILDING

3662 DAUPHIN STREET

JR 2151 PG 6b5

JR 2151 PG 18b

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Range 116 West. The other undivided one-half interest in said property is hereinafter left to my son, John David Box.

- (c) An undivided one-fourth of the undivided two-thirds interest which I own jointly with my husband in certain property in Shelby County, Alabama, which contains 3.8 acres, more or less, is located on Highway 31 South, south of Hoover, and which has a 631 foot frontage on said highway and which was just recently conveyed to me by my husband, Joseph L. Box.

III

I hereby GIVE, DEVISE and BEQUEATH to my daughter, ELIZABETH EUGENIA BOX:

- (a) The undivided one-half interest which I own in property in Grove Hill, Alabama located on Church Street and which has a log house known as "Hickory Hut" on a 4 acre, more or less, parcel of land, and which was formerly my parents' home. I own this property jointly with my sister, Betty C. Reams.

- (b) An undivided one-half interest in the East Half of property in Teton County, Wyoming which property is described as the East Half of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 22, Township 42 North, Range 116 West. The other undivided one-half interest in said property is hereinafter left to my son, William Lyles Box.

- (c) An undivided one-fourth of the undivided two-thirds interest which I own jointly with my husband in certain property in Shelby County, Alabama, which

contains 3.8 acres, more or less, is located on Highway 31 South, south of Hoover, and which has a 631 foot frontage on said highway, and which was just recently conveyed to me by my husband, Joseph L. Box.

IV

I hereby GIVE, DEVISE and BEQUEATH to my son, William Lyles

Box:

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- (a) An undivided one-half interest in the East half of a a five acre parcel of property in Teton County, Wyoming which property is described as being the East Half of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 22, Township 42 North, Range 116 West. The other undivided one-half interest in said property is hereinabove provided, to be owned by my daughter, Elizabeth Eugenia Box.
 - (b) An undivided one-fourth of the undivided two-thirds interest which I own jointly with my husband in certain property in Shelby County, Alabama, which contains 3.8 acres, more or less, is located on Highway 31 South, south of Hoover, and which has a 631 foot frontage on said highway, and which was just recently conveyed to me by my husband, Joseph L. Box.

V

I hereby GIVE, DEVISE and BEQUEATH to my son, JOHN DAVID

BOX:

- (a) An undivided one-half interest in the West Half of property in Teton County, Wyoming, which property is described as being the West Half of the Northwest Quarter of the Northwest Quarter of the Southeast

Quarter of Section 22, Township 42 North, Range 116 West. The other undivided one-half interest in said property is hereinabove left to my daughter, Barbara Lee Kindberg.

- (b) An undivided one-fourth of the undivided two-thirds interest which I own jointly with my husband in certain property in Shelby County, Alabama, which contains 3.8 acres, more or less, is located on Highway 31 South, south of Hoover, and which has a 631 foot frontage on said highway, and which was just recently conveyed to me by my husband, Joseph L. Box.

VI

I hereby GIVE, DEVISE and BEQUEATH all of the rest, residue and remainder of my property of any and every kind, character and description whatsoever and wheresoever situated to my husband, JOSEPH L. BOX, if he survives me. If he should predecease me, then all of the rest, residue and remainder of my estate shall be equally divided among my above-named four children.

VII

Any person who shall die at the same time as I or in a common disaster with me or under such circumstances that it is difficult or impossible to determine which died first shall, for the purpose of interpreting this Will, be deemed not to have survived me.

VIII

I hereby NOMINATE, CONSTITUTE and APPOINT my husband, JOSEPH L. BOX, Executor of this my Last Will and Testament, if he survives me, and expressly exempt him from giving bond, surety,

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or security, from filing an inventory, or making any report or final settlement of my estate.

In the event my said husband, JOSEPH L. BOX, should predecease me, fail to qualify as Executor, or for any reason fail to complete the administration of my estate, then and in that event I hereby NOMINATE, CONSTITUTE and APPOINT my son, WILLIAM LYLES BOX, as substitute Executor, and expressly exempt him from giving bond, surety, or security, from filing an inventory, or making any report or final settlement of my estate, except I do require that such substitute Executor prepare an accurate record of all assets coming into his hands, keep accurate books of account which are balanced at least semi-annually, and that such records and books of account be kept available for inspection by my said surviving children, or any person representing said surviving children, at all reasonable times and places.

IX

I hereby authorize and empower my Executor or my substitute Executor, as the case may be, to continue to operate any business or businesses which I am operating at the time of my death, and to do all things necessary or convenient in connection therewith without the necessity for any court order and to sell, exchange, partition, divide, lease (including oil, gas and mineral leases), and convey, without any order of court first had and obtained, any of my property, real, personal or mixed owned jointly with others or in severalty.

I, MARTHA JANE BOX, the Testatrix, sign my name to this instrument this 18th day of April, 1990, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament

and that I sign it willingly and execute it as my free and voluntary act for the purposes therein expressed, and that I am over nineteen years of age, of sound mind, and under no constraint or undue influence.

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Martha Jane Box
MARTHA JANE BOX

We, Debra G. Scruggs and William Lloyd Tucker the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and Testament, and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby sign this Will as witness to the Testatrix' signing, and that to the best of our knowledge the Testatrix is over nineteen years of age, of sound mind, and under no constraint or undue influence.

Debra G. Scruggs Address: 1111 N. 11th St.
Shelby, NC 27574

William Lloyd Tucker Address: 104 S. 1st St.
Shelby, NC 27574

STATE OF ALABAMA
COUNTY OF JEFFERSON

Subscribed, sworn to and acknowledged before me by MARTHA
JANE BOX, the Testatrix, and subscribed and sworn to before me by
Debra G. Scruggs and William Larry McJunkin,
the witnesses, this 18th day of April, 1990.

W. H. White
NOTARY PUBLIC, JEFFERSON COUNTY, ALABAMA
My commission expires 7-22-92

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THIS WILL PREPARED BY:
DEWITT REAMS
Reams, Vollmer, Philips, Killion,
Brooks & Schell, P.C.
3662 Dauphin Street
Mobile, Al. 36608

 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 Martha Jane Box Deceased and that said Will _____

 together with the proof thereof have been recorded in my office in Judicial Record, Volume 2151 665-671
2156 , Page 186-193 .

 In witness of all which I have hereto set my hand, and the seal of the said Court, this date Dec. 11, 1990 .

PROBATE -- 88

George R. Reynolds , Judge of Probate.

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ORDER PROBATING LAST WILL ON FILING (WITH WAIVERS)

PROBATE -- 125

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

MARTHA JANE C. BOX,

DECEMBER TERM 1990

Deceased

CASE NO. 135421

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Joseph L. Box and filed
a 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 Martha Jane C. Box,
deceased, bearing date the 18th day of April, 19 90,
and attested by Debra G. Scruggs and William Larry McJunkin;
and praying that the same be probated as provided by law; that petitioner
is the widower of said deceased, and is

named in said will as execut OR thereof; and that the next of kin of said deceased are as follows,
to-wit: Barbara Lee Kindberg, daughter, Wilmington, North Carolina;
Elizabeth Eugenia Box, daughter, College Park, Georgia;
William Lyles Box, son, Birmingham, Alabama and
John David Box, son, Idaho Falls, Idaho,
each of whom is over twenty-one years of age.

And thereupon comes each of 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 ascertained by sufficient evidence
that the signature S affixed to said waiver S of notice and acceptance S of service are the
genuine signature S of said next of kin; 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 said Martha Jane C. Box,
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, 1990

George P. Reynolds
Judge of Probate

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 Martha Jane C. Box, Deceased, together with

the Certificate to the Probate thereof, and the Order On Filing and Probating

Last Will and Testament.

1. Deed Tax	—	6
2. Mtg. Tax	—	8
3. Recording Fee	—	35.00
4. Indexing Fee	—	3.00
5. No Tax Fee	—	5
6. Certified Fee	—	1.00
Total	—	49.00

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

91 MAR -4 PM 2:51

JUDGE OF PROBATE

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

Given under my hand and seal of said Court, this

the 15th day of February, 1991

Peggy A. Proctor

Chief Clerk

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