

885

LAST WILL AND TESTAMENT
OF
JAMES RILEY GOULD

I, JAMES RILEY GOULD, a resident of Columbiana, Shelby County, Alabama, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my LAST WILL AND TESTAMENT, hereby revoking all Wills and codicils heretofore made by me.

FIRST

I direct that all of my debts, my funeral expenses, and the cost of administration of my estate be paid by my executrix or her successor as soon as practical after my death. In her discretion, my executrix or her successor may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

SECOND

I give, devise, and bequeath all the rest, residue, and remainder of my property, whether real, personal, or mixed, tangible or intangible, of whatever nature and wherever situated, owned by me or over which I may have power of appointment at the time of my death, to my wife, EVAUGHN J. GOULD, if she survives me.

THIRD

In the event that my wife, EVAUGHN J. GOULD, does not survive me, then I give, devise, and bequeath all the rest, residue, and remainder of my property aforesaid, in the following described amounts to the following named persons, to wit: one-half and all of our property in Alabama (Parcel ID #292040000013- property deed is recorded in Book 269, Page 52, Shelby County Courthouse) to my step-son, L. RAY HORTON, of Shelby, Alabama, and one-half and all of our property in Florida (Parcel ID #25-075-05W-1002-0000-0260 - property deed is recorded in Book 305, Pages 170-171, Franklin County Courthouse) to my son, PAUL KEITH GOULD, of Tuscaloosa, Alabama.

BOOK 333 PAGE 593

James R. Gould
388. Gould Rd
Columbiana AL
35051

JR G 5 Feb 91
Testator's Initials and Date

mw
Witness' Initials

MGG
Witness' Initials

FOURTH

No beneficiary, legatee, or devisee under this my LAST WILL AND TESTAMENT shall be deemed to have survived me unless such beneficiary, legatee, or devisee shall survive me by thirty (30) days, not including the day of my death.

FIFTH

I nominate and appoint my wife, EVAUGHN J. GOULD, as executrix of this WILL. If she should predecease me or fail or refuse to act as executrix or having acted, should thereafter die, resign, or become incapacitated, then, in that event I nominate and appoint my step-son, L. RAY HORTON, to act as her successor.

SIXTH

I desire that my executrix or her successor consult with the Personal Affairs Officer of the nearest military installation and the Veterans Administration to ascertain if there are any benefits to which my heirs might be entitled because of my military service.

I hereby grant to my executrix or her successor continuing, absolute, and discretionary power to deal with any property, real or personal, held in my estate as freely and completely as I might in handling my own affairs, including but not limited to the following power and authority:

- A. To sell, exchange, mortgage, lease, or dispose of any or all property, real or personal, at public or private sale, at such time and price and upon such terms and conditions as my executrix or her successor shall determine.
- B. To borrow money upon such terms and conditions as they may determine.
- C. To employ accountants, attorneys, and such other agents as they may deem advisable, and to pay reasonable compensation for their services.
- D. To compromise, settle, or adjust any claim against my estate.
- E. My executrix or her successor shall not be required to file any inventory or accounting in any court.

It is my desire and I direct that my executrix or her successor may exercise the powers and authority herein granted independently and without prior or subsequent order or approval of any court or judicial authority, including the court having jurisdiction over the settlement of my estate.

JRH 5 Feb 91
Testator's Initials and Date

W
Witness' Initials

WJG
Witness' Initials

BOOK 333 PAGE 595

SEVENTH

I direct that neither my executrix nor her successor shall be required to give bond for the faithful performance of her duties as such, or to file an inventory or appraisal of my estate in any court, and that if any bond be required by any statute, rule, or order of court, then I direct that no surety be required thereon.

I, JAMES RILEY GOULD, the testator, sign my name to this instrument this 5th day of February, 1991, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my LAST WILL, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

James Riley Gould
JAMES RILEY GOULD

JRG 5 Feb 91
Testator's Initials and Date

W
Witness' Initials

MJG
Witness Initials

LAST WILL AND TESTAMENT OF: JAMES RILEY GOULD

We, Mark L. Woodward and Norman Jacobson, Jr.,
the witnesses, sign our names to this instrument, being first duly sworn, and
do hereby declare to the undersigned authority that the testator signs and
executes this instrument as his LAST WILL, that he signs it willingly, that
each of us, in the presence and hearing of the testator, hereby signs this
WILL as witness to the testator's signing, and that to the best of our
knowledge the testator is eighteen (18) years of age or older, of sound mind,
and under no undue constraint or undue influence.

Mark L. Woodward
Witness

Montgomery, AL
Address

Norman Jacobson, Jr.
Witness

St. Petersburg, FL
Address

STATE OF ALABAMA }
COUNTY OF MONTGOMERY } ss

Subscribed, sworn to, and acknowledged before me by the above-named
testator, and subscribed and sworn to before me by the above-named witnesses,
this 5th day of February, 1991.

William L. Crow

William L. Crow, Notary Public
State of Alabama at Large
My Commission Expires 26 Dec. 1993

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

91 MAR 15 AM 8:47

James R. Gould
JUDGE OF PROBATE

1. Deed Tax	_____
2. Mtg. Tax	_____
3. Recording Fee	10.00
4. Indexing Fee	3.00
5. Not. Fee	1.00
6. Certified Fee	_____
Total	14.00

JP 5 Feb 91
Testator's Initials and Date

mw
Witness' Initials

NJ
Witness Initials