

STATE OF ALABAMA
TALLADEGA COUNTY.

2003

I, **DERRELL R. HANN** Judge of Probate in and for said State and County, do hereby
certify that the within and foregoing is a true and literal copy of Last Will and Testament of
Frank L. Harwell, Deceased; Order Admitting Will to Probate and Letters of
Testamentary granted to Frank L. Harwell, Jr.

as the same appears of record in this office in Probate Minute Record Vol. 184 Page 358-364

In Witness Whereof, I hereunto set my hand and the official seal of this office this the
30th day of January, 1991.

✓ Derrell R. Hann
Judge of Probate.

Frank L. Harwell

380 Whipoorwill Rd
Chappaqua N.Y.

10514

(SEAL)

BOOK 335 PAGE 494

107 258

Last Will and Testament

OF

FRANK L. HARWELL

I, Frank L. Harwell, a resident of Talladega County, Alabama, being over the age of nineteen years and of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament and do hereby revoke any and all former Wills and Codicils which may have been at any time heretofore made by me.

ITEM ONE

I will and direct that my Executor as hereinafter named shall pay all debts and charges against my estate as soon after my death as practicable and shall pay expenses of my funeral and the cost of a suitable marker at my grave.

ITEM TWO

I hereby give and devise to my son, Frank Lane Harwell, Jr. all my right, title and interest in and to that certain real property owned by me and located in Shelby County, Alabama, and which is more particularly described as follows, to-wit:

The Southwest Quarter of the Northwest Quarter; the Northwest Quarter of the Southwest Quarter; the Northeast Quarter of the Southwest Quarter; the North 610 feet of the Southeast Quarter of the Southwest Quarter; and the triangular-shaped parcel being part of the Southwest Quarter of the Southwest Quarter lying East of County Road 55 the South line of which is the westerly extension of the south line of the above mentioned 610 feet off the North end of the Southeast Quarter of the Southeast Quarter; all in Section 15, Township 19 South, Range 1 East, Shelby County, Alabama.

ITEM THREE

I hereby give, devise and bequeath to my beloved wife, Edith H. Harwell, the rest and residue of my estate including all personal and mixed property of every kind and nature whatsoever and wherever situated and any other real property which I may own or have an interest in absolutely and without limitation.

In the event my said wife does not survive me or in the event that we should die at the same time or approximately the same time so that it is impossible to determine which of us survived the other then I give, devise and bequeath the rest and remainder of my entire estate including all real, personal

and mixed property of every kind whatsoever and wherever situated to my son
Frank Lane Harwell, Jr.

ITEM FOUR

I hereby nominate, constitute and appoint my son, Frank L. Harwell, Jr.,
to be the Executor of this my Last Will and Testament and I hereby exempt him
from the necessity of giving bond as such Executor and I also hereby exempt him
from the necessity of filing any inventory or making any report or final settle-
ment of my estate in any court.

I hereby authorize and empower my Executor to sell at either private or
public sale (without liability on the purchaser to see to the proper application
of the proceeds of such sale or sales), convey, lease or exchange all or any
part of my estate, whether real, personal or mixed property, for such considera-
tion and upon such terms and conditions as he deems proper, to the interest of
the beneficiary or beneficiaries hereunder, and to execute and deliver all
instruments necessary or proper to evidence such sale, lease or exchange, and
to collect all rents, profits, incomes, dividends or issues due to my estate,
to insure, repair or rebuild any buildings or other structures constituting a
part of my estate, to settle, compromise or adjust any claims on behalf of or
against my estate, and in general to do any and all things with respect to my
estate that I myself might do if living and which my said Executor in his
discretion may deem proper, and to do all the things specified in this Item
Four without first obtaining any order of court therefor.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 5th
day of January, 1990.

Frank L. Harwell (LS)
Frank L. Harwell

The foregoing was signed, sealed, published and declared by Frank L. Harwell, to be his Last Will and Testament, in our presence, and we, at his request and in his presence and in the presence of each other, have hereto set our signatures as attesting witnesses on the day the same bears date.

Betty Webster

Address: 1108 Cherry Street
Galladega, Al. 35760.

Lela Richardson

Address: RT 7 Lot 35 Twin Oaks Tr. PK
Galladega Al 35160

ACKNOWLEDGMENT OF TESTATOR AND AFFIDAVIT OF WITNESSES:

I, Frank L. Harwell, the testator, sign my name to this instrument on this 5th day of January, 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; that I sign it willingly; that I execute it as my free and voluntary act for the purposes therein expressed; and that I am nineteen years of age or older, of sound mind and under no constraint or undue influence.

Frank L. Harwell
Frank L. Harwell, Testator

We, Betty Webster and Lela Richardson, 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 and Testament and that he signs it willingly and 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 nineteen years of age or older, is of sound mind and is under no constraint or undue influence.

Betty Webster

Lela Richardson

Page Four of Last Will and Testament
of Frank L. Harwell

104 381

STATE OF ALABAMA

TALLADEGA COUNTY

Subscribed, sworn to and acknowledged before me by Frank L. Harwell,
the testator and subscribed and sworn to before me by Betty Webster
and Bela Richardson, witnesses, this the 5th day of January, 1990.

Ralph B. Brainer, Jr.
Notary Public

BOOK - 335 PAGE 498

FILED IN OFFICE OF PROBATE, TALLADEGA COUNTY, ALABAMA
THIS 20 DAY OF July 1990 Emill R. Har
JUDGE OF PROBATE

BOOK 0020 PAGE 000

Will

OF

FRANK L. HARNELL

Certificate of Proof of Will

1908

1908

200

No.

Page

The State of Alabama

Talladega County.

PROBATE COURT

In the matter of the application of

Frank L. Harnell

to admit to probate an instrument purporting to be the last will and testament of:

Frank L. Harnell

Deceased.

I, Orwell P. Dean

Judge of Probate in and for said County and State, do hereby certify that the within will has been duly proved and recorded; that the date of proof and probate of the said will is the

23 day of August 19 90 and that the said will, together with the proof, is

recorded in Book _____ Page _____

Dated this the 20 day of July

19 90

Orwell P. Dean

Judge of Probate.

GAINES, GAINES & BARNETT, P.C.

127 NORTH STREET

TALLADEGA, ALABAMA 35160

BOOK 335 PAGE 499

STATE OF ALABAMA
TALLADEGA COUNTY

PROBATE COURT

No. _____

(DECREE ADMITTING SELF—
(PROVING WILL TO PROBATE
(AND GRANTING LETTERS
(TESTAMENTARY

IN THE MATTER OF THE ESTATE OF _____
DECEASED.

This matter came on this day to be heard, on the application of
Frank L. Harwell, Jr.

to admit to probate and record the last will and testament of

Frank L. Harwell of Talladega, AL

deceased, is heretofore filed in this Court.

And it having been shown to the satisfaction of the Court that all things have been done pursuant to the laws of this State

The Court finds that said instrument was made self-proving at the time of its execution by acknowledgment of the testator and the affidavits of the witnesses, each made before an officer authorized to administer oaths and evidenced by the officer's certificate, under official seal, attached to or following the will in the form required by Alabama Law.

WHEREUPON the Court finds that the aforesaid instrument of writing is the last will and testament of the said Frank L. Harwell deceased, that he duly executed, attested and self-proved, and that the said testator at the time of signing said will was of full age and sound mind and disposing memory and understanding.

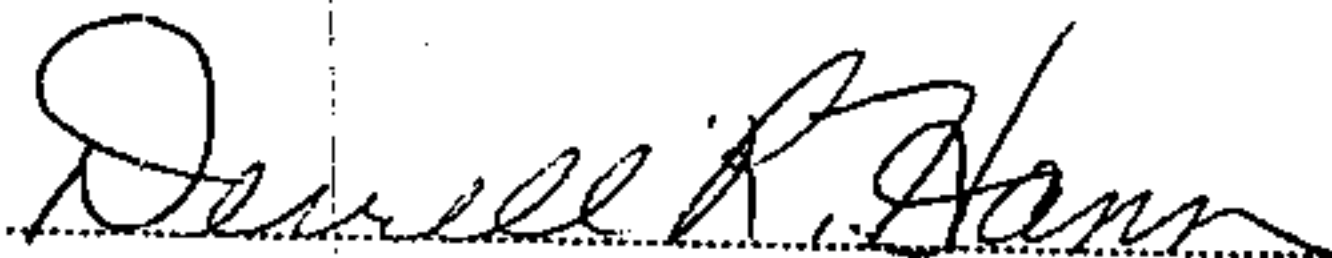
THEREFORE, the Court being satisfied as to its jurisdiction herein, it is ordered, adjudged and decreed by the court that said instrument of writing purporting to be the last will and testament of Frank L. Harwell, deceased, hereby declared to be duly self-proved as the last will and testament of said decedent, and as such admitted to probate and ordered to be recorded, together with the self-proving statements, and all other papers on file relating to this proceeding;

And it appearing to the Court that said testator by an express provision in said will to that effect named Frank L. Harwell, Jr. as Executor thereof, and exempted him from giving bond as such, and that said Frank L. Harwell, Jr. in no way disqualified from serving as such;

IT IS further ordered, adjudged and decreed by the Court that the said Frank L. Harwell, Jr. be and he is hereby appointed Executor of the will of said decedent, and Letters Testamentary issued forthwith to Frank L. Harwell, Jr. without bond, as provided in said will;

It is further ordered that said Executor pay the costs of this proceeding for which let execution issue.

DONE this 23 day of August, 19 90


Judge of Probate

FILED IN OFFICE OF PROBATE, TALLADEGA COUNTY, ALABAMA
THIS 23 DAY OF Aug 19 90 
JUDGE OF PROBATE

THE STATE OF ALABAMA
TALLADEGA COUNTY

COURT OF PROBATE

The will of Frank L. Harwell, deceased,

having been duly admitted to record in said County, letters testamentary are hereby granted to

Frank L. Harwell, Jr.

, the execut OR named in said will, who ha S complied with
the requisitions of the law, and he is authorized to take upon himself the execution of said will.

Witness my hand, and dated this 23 day of August, 19 90.

FILED IN OFFICE OF PROBATE, TALLADEGA COUNTY, ALABAMA

THIS 23 DAY OF Aug 19 90

JUDGE OF PROBATE

Judge of Probate

BOOK 335 PAGE 501

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
91 MAR 28 AM 10:23

JUDGE OF PROBATE

1. Death Tax	\$	
2. Mtg. Tax	\$	20.00
3. Recording Fee	\$	3.00
4. Indexing	\$	
5. No Tax Fee	\$	1.00
6. Certified Fee	\$	
Total	\$	24.00