

416

HARGIS CLINIC
SURGICAL SERVICE
OF
DR. ESTES H. HARGIS
STATE OF ALABAMA)
JEFFERSON COUNTY)

87 PAGE 354
58073

I, ESTES HENRY HARGIS, a resident citizen of Jefferson County, Alabama, being of sound mind and disposing memory and over the age of 21 years, do hereby make and publish and declare this my Last Will and Testament, hereby revoking any and all other former Wills and Codicils heretofore made by me.

Article 1-
I hereby direct that all my just debts, including the expenses of my last illness and funeral, shall first be paid out of my estate by my Executrix, hereinafter named as soon as possible after my death.

Article 11-
All outstanding debts owed me shall be collected and put into the special grant, or fund, to be used for either college education, medical research, building a hospital or building a nursing home at Hargis Christian Retreat. Dr. Charles Maben Johnson of Birmingham, Alabama, owes me approximately ten thousand dollars I spent on his medical education. The notes signed by Dr. Charles Maben Johnson, had no time element or interest. He was to repay this debt when he was financially able. Several times he has written to me he would take care of this just debt. If he fails to pay me during his life time, at his death this indebtedness shall be included in his estate and the money collected be put in the special fund.

Article 111- (A)
I hereby give and bequeath to Mrs. Harry Wade the sum of five thousand dollars (\$5000.00) to be hers absolutely. It is my wish, but it shall not be compulsory, that the said Mrs. Harry Wade, use the bequest for her personal use.

(B)
I hereby give, devise and bequeath to Jake Young and his son Robert Young, or survivors among them, the lot and house located at 3308-27th Avenue North, Birmingham, Alabama. I want Jake Young to collect the rent and keep the house so he will always have a home. This house must be kept in good repair. Five hundred dollars (\$500.00) cash shall be given to Jake Young to pay on his new car.

(C)
I hereby give and bequeath the sum of one thousand dollars (\$1000.00) to Chapel Hill Cemetery, Whitwell, Tennessee, to be invested in the Dunlap Bank. The interest shall only be used to keep all Hargis and Smith graves and Stones repaired and to place flowers on Memorial days.

Signed Estes H. Hargis
Estes H. Hargis, M.D.

Witness Thomas L. Wade

Mike A Lottie C. Russell

BOOK 367 PAGE 253

58073

HARGIS CLINIC
131 TWENTY-EIGHTH STREET, NORTH
BIRMINGHAM 4, ALABAMA

SURGICAL SERVICE
C-
DR. ESTER H. HARGIS

Page two-

(D)
I hereby give and bequeath the sum of five hundred (\$500.00) dollars to Condra Cemetery, Whitwell, Tennessee. This sum is to be deposited in Dunlap Bank and the interest only to be used to keep up Hargis graves, monuments, and flowers on Memorial days. Out of this fund, a foot marker shall be erected to Sarah Hargis. My wife, Florence Parker Hargis, will supervise the erection of this stone.

(E)
I bequeath to Bighill, Texas, Cemetery, one thousand (\$1000.00) dollars to be deposited in Groesbeck, Texas bank. The interest only shall be used to keep the Parker-Maffett graves and monuments in good condition. Flowers shall be put on the graves on Memorial days.

(F)
To Mary Charlotte Johnson I bequeath one hundred (\$100.00) dollars to purchase something she wants to remember the Hargis family by.

(G) I hereby give and bequeath my medical library to Doctor James E. Lee.

(H)
My wife, Florence Parker Hargis, will help my family in the future, if she feels help is needed. The money shall come from her estate.

(I)
I wish to see Charles Estes, Fred and Mike Pfaff educated. To my wife, Florence Parker Hargis, I request that she supervise their education fund and I would like for them to have advanced education, and to select a Texas School so they may qualify for scholarship under their deceased Aunt's program, Dr. Minnie L. Maffett.

(J)
Jessie and Turner Smith, servants at Daffodil Hills, Shelby County, Alabama, are to use the house in which they live, as long as they live. At their death, the land where the house stands shall become part of Hargis Chapel Grounds. I request my wife, Florence Parker Hargis, to keep the house in good repair, and to look after Jessie and Turner Smith during any illness and during their last days.

Signed Ester H. Hargis
Ester H. Hargis, M.D.

Witness Florence L. Wade
Lottie C. Russell

BOOK 367 PAGE 254

58073

SURGICAL SERVICE
OF
DR. ESTES H. HARGIS

HARGIS CLINIC
1121 TWENTY-EIGHTH STREET, NORTH
BIRMINGHAM 4, ALABAMA

87 PAGE 356

Page Three

ARTICLE IV*

I hereby nominate, designate, constitute and appoint my wife, FLORENCE PARKER HARGIS, AS SOLE EXECUTRIX OF MY LAST WILL AND TESTAMENT.

In the event that my wife should pre-decease me or is unable to act, or to continue to act and serve as Executrix, then I appoint Mrs. Harry Wade as successor Executrix. I direct that my said Executrix shall not be required to give bond or file an inventory or appraisal of my estate in any court. I hereby vest my said Executrix the power of management, control and disposition of my estate, and I direct that in the exercise of such powers, she be free from the control and supervision of the Probate Court or any other court. I hereby give and vest in my said successor Executrix the same powers and authority as herein granted to my said Executrix, my wife, FLORENCE PARKER HARGIS, if she wishes, can keep my entire estate. It is hers. If she feels so disposed, I want the residue and remainder of my estate to be used for Charitable purposes.

The Trust created and established shall be known and designated as "The Estes H. Hargis Charitable Foundation". If my wife is so desposed I want the residue of her estate at her death, to be added to this fund and the name changed to "Dr. & Mrs. Estes H. Hargis Charitable Foundation". I wish the following trustees to serve without bond or security. Mrs. Harry Wade, Mr. Maurice Bishop, Mr. Howard Borland, Rev. Tom Giltner and Mr. Paul Vaughan. These trustees are to advise my wife, Florence Parker Hargis. It is my express intention and desire that the trust and trust fund, shall be tax exempt, and the trustees shall use all of the income and corpus of the trust estate for the purposes of either establishing college education grants, or medical research, or the construction of a hospital, or the construction of a Nursing Home at the Hargis Christian Retreat. The trustees shall receive, hold and manage and administer the trust fund until such time as they determine to invest such fund in the construction or enlargement or improvement of medical or educational facilities.

I wish Mr. Maurice Bishop to draw up the powers and the authority of the trustees in the administration of the Trust Fund. He shall be permanent chairman of the Trust Fund.

In testimony and witness whereof, I have hereunto set my hand and seal and have signed my name in the margin of each of these pages, my last WILL and TESTAMENT on the eleventh day of March, 1966.

Signed Estes H. Hargis
Estes H. Hargis, M.D.

Witness Florence L. Wade
Latrice C. Russell

BOOK 367 PAGE 255

SURGICAL SERVICE
OF
DR. ESTES H. HARGIS

HARGIS CLINIC
151 TWENTY-EIGHTH STREET, NORTH
BIRMINGHAM 4, ALABAMA

UP
FILED 87 PAGE 357
58073

On this, the eleventh day of March, 1966, Estes Henry Hargis,
the above name testator, signed his Last Will and Testament,
consisting of three pages typewritten, each of which is
signed by him and subscribed by us as witnesses.

Glenn L. Wade

Lucas C. Russell

Filed in office this the 2
day of May, 1966
for Probate and Record.

J. Paul Marks
Judge of Probate

BOOK 367 PAGE 256

JUD.
RECORD

87 PAGE 358

BOOK 367 PAGE 257

CERTIFICATE TO THE PROBATE OF WILL

**THE STATE OF ALABAMA,
JEFFERSON COUNTY.**

I, J. J. PAUL WEEKS, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing has _____ 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 Estes H. Hargis, Deceased and that said Will _____

together with the proof thereof have been recorded in my office in Judicial Record, Vol. 87 Page 353-358
In witness of which, I have hereunto set my hand, and the seal of the said Court, this date May 16, 1966

Form No. 20

J. J. Paul Weeks Judge of Probate

BOOK 367 PAGE 258

STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

91 OCT -7 AM 10:14

George R. Reynolds
JUDGE OF PROBATE

1. Deed Tax	_____
2. Mtg. Tax	_____
3. Recording Fee	<u>1500</u>
4. Indexing Fee	<u>300</u>
5. No Tax Fee	_____
6. Certified Fee	<u>100</u>
Total.....	<u>1900</u>

CERTIFIED COPY

I, GEORGE R. REYNOLDS, JUDGE OF THE COURT
OF PROBATE FOR JEFFERSON COUNTY,
ALABAMA, HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE, CORRECT AND FULL
COPY OF THE INSTRUMENT _____ HEREWITH
SET OUT AS APPEARS OF RECORD IN SAID COURT.
WITNESS MY HAND AND SEAL OF SAID COURT,
THIS 9 DAY OF August,
19 91.

George R. Reynolds
JUDGE OF PROBATE