

CASE 28841

## Last Will and Testament 139355

KNOW ALL MEN BY THESE PRESENTS: That I, Willie Francis Kelley, Jr., D.M.D., of the City/Town of Birmingham, County of Jefferson, and State of Alabama, being of sound and disposing mind and memory, do make, publish and declare the following to be my LAST WILL AND TESTAMENT, hereby revoking all Wills by me at any time heretofore made.

**FIRST:** I direct my Executor/Executrix<sup>CO-</sup> hereinafter named, to pay all my funeral expenses, administration expenses of my estate, including inheritance and succession taxes, state or federal, which may be occasioned by the passage of or succession to any interest in my estate under the terms of either this instrument or a separate inter vivos trust instrument, and all my just debts, excepting mortgage notes secured by mortgages upon real estate.

**SECOND:** All the rest, residue and remainder of my estate, both real and personal, of whatsoever kind or character and wheresoever situated, shall be divided into two equal parts, and I give, devise and bequeath one such part to each of the following two persons, to be <sup>theirs</sup> ~~his hers~~ absolutely and forever:

Priscilla Leigh Davis

Sandra Ruth Boshell

Last # 1992-29701

12/11/1992-29701  
09:00 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
005 MCD 16.50

I hereby wish to clarify the disinheritance of my son, Willie Francis Kelley, III, from any part of my estate. Based on a decision made by him, there has been no communication between us for the past twelve years. I continue to abide by his wishes and he is no longer a part of my life. I hereby wish to have it expressly understood that it is my LAST WILL AND TESTAMENT to bequeath to Willie F. Kelley, III the sum of only ONE DOLLAR (\$1.00) to be paid in accordance with all other expenses of my estate.

The share of any person above named who shall not survive me shall be paid to such person's issue in equal shares, per stirpes; if such person has died leaving no issue, the part designated above as being for such person shall be divided among the other beneficiaries named above, in equal shares, per stirpes.

**THIRD:** I hereby appoint Priscilla Leigh Davis & Sandra Ruth Boshell<sup>CO-</sup> as Executor/Executrix<sup>CO-</sup> of this my LAST WILL AND TESTAMENT and I direct that such person shall serve without bond.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Birmingham, AL., this 7th day of September, 19 88.

(sign here) Willie F. Kelley Jr.

L.S.

Signed, sealed, published and declared to be his/her LAST WILL AND TESTAMENT by the within named Testator/Testatrix in the presence of us, who in his/her presence and at his/her request, and in the presence of each other, have hereunto subscribed our names as witnesses:

(1) William C. Lattom of B'ham, Ala.  
 City State  
 (2) Steve R. Lee of Bessemer 919  
 City State  
 (3) Charles E. Moon of Bessemer Ala.  
 City State

ReturnDavid Tanner Atty. 7211-1<sup>st</sup> Ave. No. B'ham. AL. 35206

JR 1142 PG 319

## AFFIDAVIT

STATE OF Alabama }  
 COUNTY OF Jefferson }  
 Personally appeared (1) William C. Latham  
 (2) Steve R. Lee and (3) Charles E. Moore

who being duly sworn, depose and say that they attested the said Will and they subscribed the same at the request and in the presence of the said Testator and in the presence of each other, and the said Testator signed said Will in their presence and acknowledged that he/she had signed said Will and declared the same to be his/her LAST WILL AND TESTAMENT, and deponents further state that at the time of the execution of said Will the said Testator appeared to be of lawful age and sound mind and memory and there was no evidence of undue influence. The deponents make this affidavit at the request of the Testator.

(1) William C. Latham  
 (2) Steve R. Lee  
 (3) Charles E. Moore

Subscribed and sworn to before me this 7th day of September, 19 88

(Notary Seal)

James J. Sullivan  
Notary Public

My commission expires 1/22/92

State of Alabama this the 9<sup>th</sup> day  
 of January 1992, for probate  
 and record

Dwight C. Argabright  
Judge of Probate

JR 1142 PG 380

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CERTIFICATE TO THE PROBATE OF WILL

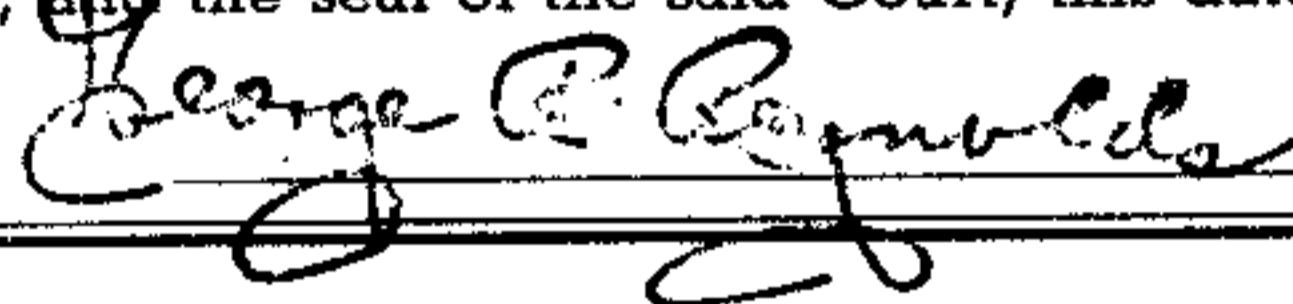
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**The State of Alabama**

**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 Willie Francis Kelley, Jr. Deceased and that said Will \_\_\_\_\_ together with the proof thereof have been recorded in my office in Judicial Record, Volume 1142, Page 378-381.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Feb. 25, 1992.

 George R. Reynolds, Judge of Probate.

## LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF

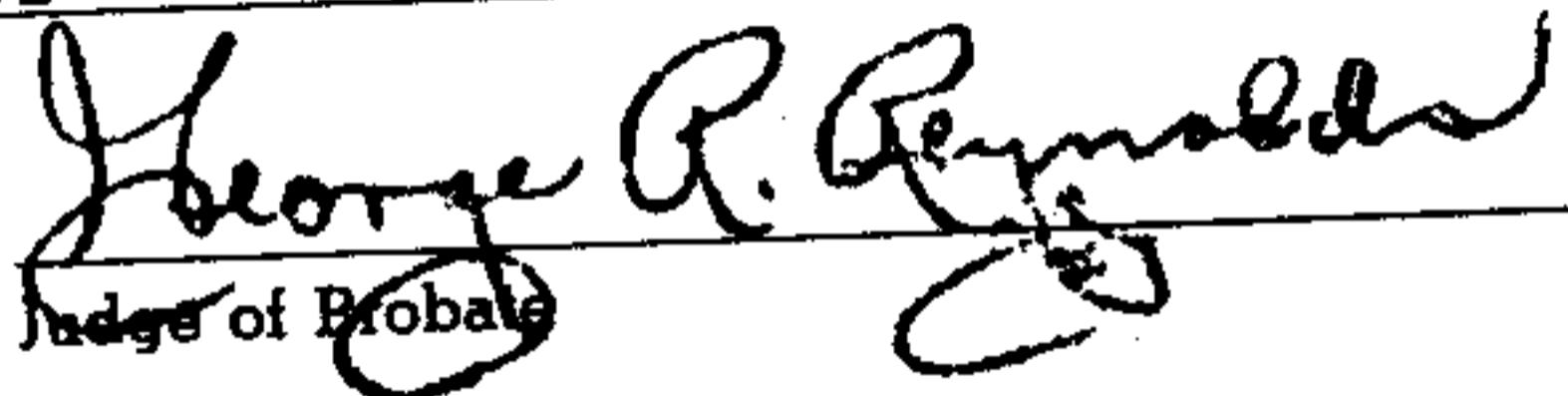
WILLIE FRANCIS KELLEY, JR.

Deceased

IN THE PROBATE COURT OF  
JEFFERSON COUNTY,  
ALABAMA

CASE NO. 139355

## LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:  
That the will of the above-named deceased having been duly admitted to record in said County, LettersTestamentary are hereby granted to Priscilla Leigh Kelley and Sandra Ruth BoshellExecut rices named in said will, who ha ve complied with the requisitions of law and who are  
authorized to take upon themselves the execution of such will.Witness my hand this date, February 28, 1992

  
George R. Reynolds  
Judge of Probate
I, Peggy A. Proctor, Chief Clerk of the Court of Probate of Jefferson County, Alabama, hereby certify that  
the foregoing is a true, correct and full copy of the Letters Testamentary issued in the above-styled cause as appears  
of record in said Court. I further certify that said Letters are still in full force and effect.

Witness my hand and seal of said Court this date,

Chief Clerk

# 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 Willie Francis Kelley, Jr., deceased  
with Certificate to Probate thereof, and  
Letters Testamentary

in the matter of estate of Willie Francis Kelley, Jr., deceased

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

Given under my hand and seal of said Court, this

the 10 day of December, 1992

*Peggy A. Proctor* **Chief**

### Chief Clerk